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REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE*

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LETTER OF TRANSMITTAL

5 November 1992

Sir,

I have the honour to enclose herewith the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for submission to the General Assembly in accordance with paragraph 4 of resolution 46/74 A of 11 December 1991.

Accept, Sir, the assurances of my highest consideration.

(Signed) Kéba Birane CISSE
Chairman of the Committee on the
Exercise of the Inalienable
Rights of the Palestinian People

His Excellency
Mr. Boutros Boutros-Ghali
Secretary-General of the United Nations

I. INTRODUCTION

1. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was established by the General Assembly in its resolution 3376 (XXX) of 10 November 1975, in which the Assembly requested the Committee to consider and recommend to it a programme designed to enable the Palestinian people to exercise its inalienable rights as recognized by the Assembly in resolution 3236 (XXIX) of 22 November 1974. During the reporting period, the Committee was composed of 23 Member States as follows: Afghanistan, Belarus, Cuba, Cyprus, Guinea, Guyana, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukraine and Yugoslavia.

2. The recommendations made by the Committee in its first report to the Assembly 1/ were first endorsed by the Assembly in resolution 31/20 of 24 November 1976 as a basis for the solution of the question of Palestine. Those recommendations were reaffirmed by the Committee in its subsequent reports 2/ and were endorsed by the Assembly with overwhelming support on each occasion. The Assembly also continued to renew and, as necessary, expand the mandate of the Committee.

3. Despite the repeated and urgent appeals of the Committee, the Security Council has not yet been able to act on or implement the recommendations of the Committee. The Committee is of the view that positive consideration and action by the Security Council on those recommendations would contribute to promoting a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict in the Middle East. The Committee has also continued to promote the convening of an International Peace Conference on the Middle East, in accordance with the guidelines and principles reaffirmed by the General Assembly in resolution 46/75 of 11 December 1991, which provides the most comprehensive, practical and universally accepted framework for peace.

4. The Committee believes that, with the fundamental changes in the international political scene, the shift from confrontation to cooperation in international affairs and the renewed determination to work towards the resolution of longstanding regional conflicts, it is of the utmost importance to intensify efforts to bring about a comprehensive, just and lasting settlement of the question of Palestine, the core of the Arab-Israeli conflict. In this regard, the Committee has continued to stress the importance of the application of the principles of international law and the implementation of relevant General Assembly and Security Council resolutions.

5. The Committee has welcomed the convening, under the sponsorship of the United States of America and the former Soviet Union, of the Peace Conference on the Middle East at Madrid, on 30 October 1991, and the subsequent bilateral and multilateral talks, as a significant step towards the establishment of a comprehensive, just and lasting peace in the region. The Committee noted that the peace process is based on Security Council resolutions 242 (1967) and 338 (1973) and on the land-for-peace formula, and expressed the hope that the role of the United Nations would be generally intensified in the process. The Committee called on the present Government in Israel to respond positively to *the Palestinian peace initiative of 1988 and subsequent Palestinian proposals*, and to recognize the inalienable national rights of the Palestinian people, particularly the right to self-determination.

6. The Committee expressed its most serious concern at the continued deterioration of the situation in the occupied Palestinian territory and the imposition of repressive measures by the occupying Power, Israel, in violation of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, 3/ and in disregard of ongoing peace efforts. The Committee decided to assign high priority to promoting the adoption of concrete measures by the High Contracting Parties to that Convention in order to ensure respect by Israel, the occupying Power, of the Convention in all circumstances, in conformity with their obligation under article 1.

7. In particular, the Committee strongly deplored Israel's continued reliance on military force to suppress the Palestinian uprising, the intifadah, now in its fifth year, and called for intensified international support for the Palestinian people at this time of great importance in their history. The Committee also condemned the intensification of land confiscation and of the settlements policy and practice pursued by Israel in the Palestinian territory occupied since 1967, including Jerusalem, the continued imposition of curfews and collective punishment, and the increasing restrictions on freedom of movement and economic activity of Palestinians, which greatly jeopardized their livelihood and their development, and posed a serious threat to the chances for a just peace.

8. The Committee condemned the fact that the Israeli occupation had lasted for 25 years, despite international efforts to bring a comprehensive, just and lasting peace to the region, and called for the withdrawal of the Israeli armed forces from the occupied Palestinian and other Arab territories, including Jerusalem, in accordance with United Nations resolutions. The Committee reaffirmed that Israel's continued occupation of those territories and its denial of the exercise of the inalienable rights of the Palestinian people, including those to self-determination without external interference, to national independence and sovereignty, and to return to their homes and property, constituted the principal obstacle to the achievement of a just peace.

9. The Committee was greatly concerned that the lack of progress in the peace process, together with the continuation of repressive measures against the Palestinians living under occupation, the creeping annexation of the occupied Palestinian territory, and the worsening economic and other living conditions of Palestinians, would jeopardize the chances of achieving a just peace and lead to disastrous consequences for the Palestinian people as a whole. The Committee believed that a solution was urgently needed, taking into account the new opportunities that now exist, on the basis of international law and in conformity with the principles and purposes of the United Nations Charter and the relevant United Nations resolutions, which must be applied in an even-handed manner.

II. MANDATE OF THE COMMITTEE

10. The Committee's mandate for the year 1992 is contained in paragraphs 3 to 5 of General Assembly resolution 46/74 A of 11 December 1991, in which the Assembly:

(a) Requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 4/ and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

(b) Authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, to give special emphasis to the need to mobilize public opinion in Europe and North America, and to report thereon to the General Assembly at its forty-seventh session and thereafter;

(c) Also requested the Committee to continue to extend its cooperation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and in creating a more favourable atmosphere for the full implementation of the recommendations of the Committee, and to take the necessary steps to expand its contacts with those organizations.

11. In its resolution 46/74 B, also of 11 December 1991, the General Assembly requested the Secretary-General, inter alia, to provide the Division for Palestinian Rights of the Secretariat with the necessary resources, including a computer-based information system, and to ensure that it would continue to discharge the tasks detailed in earlier resolutions, in consultation with the Committee and under its guidance.

12. In its resolution 46/74 C, of 11 December 1991, the General Assembly requested the Department of Public Information, in full cooperation and coordination with the Committee, to continue its special information programme on the question of Palestine, with particular emphasis on public opinion in Europe and North America.

III. ORGANIZATION OF WORK

A. Election of officers

13. At its 185th meeting, on 15 January 1992, the Committee elected Mr. Kéba Birane Cissé (Senegal) as Chairman, re-elected Mr. Ricardo Alarcón de Quesada (Cuba) and Mr. Khodaidad Basharmal (Afghanistan) as Vice-Chairmen and Mr. Victor Camilleri (Malta) as Rapporteur.

14. At its 190th meeting, on 5 October 1992, the Committee elected Mr. Alcibiades J. Hidalgo Basulto (Cuba) as Vice-Chairman in place of Mr. Ricardo Alarcón de Quesada (Cuba).

15. At its 186th meeting, on 18 March 1992, the Committee adopted its programme of work for 1992 (A/AC.183/1992/CRP.1/Rev.1) in implementation of its mandate.

B. Participation in the work of the Committee

16. As in previous years, the Committee reconfirmed that all States Members of the United Nations and Permanent Observers to the United Nations desiring to participate in the work of the Committee as observers were welcome to do so. Accordingly, in a letter dated 6 April 1992, the Chairman of the Committee so informed the Secretary-General, who subsequently transmitted the letter, on 16 April 1992, to the States Members of the United Nations and members of the specialized agencies, and to intergovernmental organizations. In accordance with established practice, the Committee also invited Palestine, represented by the Palestine Liberation Organization (PLO), to participate in the work of the Committee as an observer, to attend all its meetings and to make observations and proposals for the consideration of the Committee.

17. During 1992, the Committee again welcomed as observers all the States and organizations that had participated in its work in the preceding year. 5/

C. Re-establishment of the Working Group

18. At its 185th meeting, the Committee re-established its Working Group to assist in the preparation and expedition of the work of the Committee on the understanding that any Committee member or observer could participate in its proceedings. 6/ The Working Group was constituted as before under the chairmanship of Mr. Victor Camilleri. Mr. Dinesh Kumar Jain (India) was re-elected Vice-Chairman of the Working Group.

IV. ACTION TAKEN BY THE COMMITTEE

A. Action taken in accordance with General Assembly resolution 46/74 A

1. Review of the situation relating to the question of Palestine and efforts to implement the recommendations of the Committee

19. In accordance with its mandate, the Committee continued to keep under review the situation relating to the question of Palestine and to exert all efforts to promote the implementation of its recommendations as repeatedly endorsed by the General Assembly.

20. In response to urgent developments affecting the inalienable rights of the Palestinian people, the Chairman of the Committee, on a number of occasions, brought such developments to the attention of the Secretary-General and the President of the Security Council, urging the adoption of appropriate measures in accordance with United Nations resolutions (see paras. 31 and 32 below).

21. The Committee, with the assistance of the Division for Palestinian Rights, continued to monitor the situation in the occupied Palestinian territory on an ongoing basis through the media, the reports of United Nations organs and organizations, and information collected by Governments, non-governmental organizations, individual experts and persons from Israel and the occupied Palestinian territory who participated in meetings held under the auspices of the Committee, and other sources.

22. In a letter dated 5 June 1992 from its Chairman to the Secretary-General (A/46/933-S/24045), and at a special meeting held on 17 June 1992, the Committee reviewed the effects of the Israeli occupation on the Palestinian people in the 25 years since the war of 1967. The Committee noted with deep concern that the Palestinian people have paid dearly for the occupation with loss of life, loss of land and natural resources, and severe restrictions on their political, civil, economic, social and cultural rights. The Israeli military operations of 1967 were accompanied by systematic and deliberate destruction of Palestinian villages and homes and the renewed dispersal of Palestinians, almost half a million of whom were displaced, one third of them becoming refugees for the second time since 1948. The Israeli authorities had continued to deny Palestinians their fundamental right to return and to refuse to allow the reunification of families, imposing ever more stringent and restrictive policies on Palestinian families, including summary deportation of women and children considered to be living "illegally" with their immediate families in the occupied territory.

23. The Committee recalled that, shortly after the war, Israel had annexed Jerusalem over the unanimous opposition of the international community, and had begun the confiscation of Palestinian land and the building of settlements in a process of gradual de facto annexation which had continued under subsequent Governments. The Committee noted that over 60 per cent of the West Bank and Gaza had been confiscated between 1967 and 1992 under various pretexts sanctioned by military orders. Some 230,000 Israeli citizens had

been moved permanently to about 212 settlements throughout the occupied Palestinian territory, including Jerusalem; an increase of 25 per cent had taken place in the year under review alone. Israeli Government leaders had repeatedly voiced their intention to remain in permanent control of the occupied territory, for either ideological, strategic or security reasons. The Committee expressed particular concern at the continuous efforts since the beginning of the occupation to change the demographic composition of the old city of Jerusalem and its surroundings and to destroy its Palestinian identity. The Committee reaffirmed that those policies of Israel were in clear violation of article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which the Security Council had declared to be applicable de jure to all the territories occupied by Israel since 1967, and of numerous Security Council resolutions.

24. The Committee was concerned that through this illegal process of colonization, Palestinian towns, villages and agricultural areas were being increasingly encircled, their development restricted, and the unity of the Palestinian homeland was being shattered. Regional land-use and road plans had been devised and implemented to serve the Israeli settlements and to tie them more closely to Israel, bypassing Palestinian towns and villages. The Committee noted with particular concern that the Israeli Housing Ministry had recently allocated vast funds to the so-called "Seven Stars Plan" linking metropolitan areas just inside the "green line" to settlements in the West Bank, thus aiming to erase the border between Israel and the occupied territory. The fragmentation of the West Bank was also being reinforced through travel restrictions which denied Palestinians free transit through annexed East Jerusalem.

25. The Committee further noted that Israel had continued to appropriate and control Palestinian water resources and drastically to restrict Palestinian use of water for farming and other needs. Moreover, discriminatory taxation and other administrative measures stifled the economic development of the occupied territory and made it more dependent on the economy of the occupying Power.

26. The Committee also noted that, since 1967, a dual legal system had been established which extended the protection of Israeli civilian law to the Jewish settlers while imposing a separate harsh and discriminatory military law on the Palestinians. Every aspect of Palestinian life was controlled by the military authorities through some 2,000 military orders enacted during the 25 years of occupation. The Israeli authorities had also continued to use emergency powers to deny and restrict civil and political liberties.

27. The Committee noted with the greatest concern that the Israeli armed forces had continued to use unjustified force in suppressing the intifadah and exerting control over the Palestinian population living under occupation. Human rights organizations had reported that from December 1987 to September 1992, at least 1,102 Palestinians were killed, most of them by shooting, and over 124,600 were injured by Israeli forces. They also reported that open-fire regulations for Israeli soldiers had been increasingly relaxed and that undercover units of the army had engaged in summary executions of Palestinian militants. Studies of conditions in Israeli prisons had documented systematic ill-treatment and torture of Palestinian prisoners, and the death of at least 32 Palestinians in detention since the beginning of the

intifadah. During the same period, over 17,300 Palestinians were placed under administrative detention for periods of up to six months without charges or trial; 12,000 political prisoners were reported to be held under appalling conditions as of September 1992. Moreover, in the period since 1987, 70 Palestinians were expelled for "security reasons" (more than 1,300 since June 1967). In the same period, towns and villages in the occupied Palestinian territory had experienced a combined total of over 11,600 days of curfew, the demolition or sealing of approximately 2,300 homes, and the uprooting of approximately 146,300 trees.

28. The Committee noted that the fabric and well-being of Palestinian society had suffered great additional damage resulting from arbitrary mass arrests, prolonged school closings, disruption of the health care system, raids by troops and attacks by armed settlers, denial of freedom of movement, loss of employment opportunities in Israel and the like. The plight of the Palestinians had been further compounded by the repeated actions which the occupying forces had taken against the facilities and personnel of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in disregard of the agency's humanitarian mandate. The Committee also noted that the Director-General of the International Labour Organisation (ILO), in his annual report on the situation of workers in the occupied territories, had concluded that the continuing state of military occupation rendered impossible a situation in which the ILO standards and principles could be fully respected.

29. The Committee noted that, in October 1991, Israel had ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and called on the relevant supervisory bodies to take all measures in their power to ensure that Israel abide by its obligations under those treaties.

30. Taking into account the continuing intolerable situation in the occupied Palestinian territory, the Committee wishes to draw once again the most urgent attention of the General Assembly and the Security Council to the policies and practices of Israel, the occupying Power, which are in violation of the aforesaid Fourth Geneva Convention. The Committee reiterates its most urgent appeal to the Security Council, to the High Contracting Parties to the Convention and to all concerned to take all necessary measures to ensure the safety and international protection of the Palestinians in the occupied Palestinian territory pending the withdrawal of Israeli forces and the achievement of a just settlement. The Committee further wishes to express appreciation to the Secretary-General for his efforts in this regard in accordance with Security Council resolution 681 (1990). Above and beyond protective and emergency relief measures, the international community must take all possible measures to halt the rapid deterioration in the living conditions of the Palestinian people and to develop socio-economic structures that will lead to the genuine development of the occupied Palestinian territory in preparation for independent nationhood. The Committee noted that various United Nations organizations and bodies had undertaken the implementation of a number of development projects in the occupied Palestinian territory, and called for the intensification of efforts in this regard.

2. Reactions to developments affecting the inalienable rights of the Palestinian people

(a) Communications to the Secretary-General and the President of the Security Council

31. The Chairman of the Committee on a number of occasions drew the attention of the Secretary-General and of the President of the Security Council to urgent developments in the occupied Palestinian territory. The Chairman condemned the resumption by Israel of its policy of deportations as well as the indiscriminate shooting of demonstrators by the army, and the intensification and expansion of collective punishment such as the imposition of curfews and mass detention of Palestinian civilians, including minors. The Chairman pointed out that those policies and practices were in violation of the Fourth Geneva Convention and requested that Israel accept the de jure applicability of that Convention to all the territories occupied since 1967 and abide scrupulously by the provisions of that Convention and relevant Security Council resolutions. The Chairman appealed urgently to the Secretary-General and the President of the Security Council and to all parties concerned, in particular the High Contracting Parties to the Convention, to take all necessary measures for ensuring the safety and protection of the Palestinian civilians under occupation and to intensify all efforts towards the achievement of a peaceful settlement.

32. The following letters from the Chairman of the Committee to the Secretary-General were circulated as official documents of the General Assembly, under the agenda item entitled "Question of Palestine", and of the Security Council: (a) letter dated 16 December 1991 (A/46/788-S/23291); (b) letter dated 6 January 1992 (A/46/837-S/23374); (c) letter dated 11 February 1992 (A/46/875-S/23570); (d) letter dated 5 June 1992 (A/46/933-S/24045); (e) letter dated 16 July 1992 (A/46/947-S/24304); (f) letter dated 13 August 1992 (A/46/958-S/24436); and (g) letter dated 8 October 1992 (A/47/522-S/24648).

(b) Action taken within the Security Council

33. The Committee followed closely the activities of the Security Council on matters relating to the Committee's mandate and participated in Council debates as necessary.

34. At its 3026th meeting, on 6 January 1992, the Security Council adopted unanimously resolution 726 (1992), in which it strongly condemned the decision of Israel, the occupying Power, to resume deportations of Palestinian civilians; reaffirmed the applicability of the Fourth Geneva Convention of 12 August 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem; requested Israel, the occupying Power, to refrain from deporting any Palestinian civilian from the occupied territories; also requested Israel, the occupying Power, to ensure the safe and immediate return to the occupied territories of all those deported; and decided to keep the matter under review.

35. At the 3065th meeting of the Security Council, on 4 April 1992, the President of the Council made a statement on behalf of the members of the Council (S/23783), expressing grave concern at the continued deterioration of

the situation in the Gaza Strip, especially at the serious situation in Rafah in which several Palestinians had been killed and many more injured. The members of the Council condemned all those acts of violence at Rafah, and urged maximum restraint in order to bring the violence to an end. The members of the Council urged Israel to abide at all times by its obligations under the Fourth Geneva Convention and to respect and to act in accordance with the relevant resolutions of the Security Council. The members of the Council were concerned that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive, just and lasting peace are under way. The members of the Council requested the Secretary-General to use his good offices, in accordance with resolution 681 (1990), regarding this situation concerning Palestinian civilians under Israeli occupation.

3. Action taken by the Committee to promote the convening of an International Peace Conference on the Middle East

36. By its resolution 46/75, the General Assembly reaffirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine. It considered that the convening of an International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the PLO, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination, would contribute to the promotion of peace in the region. It reaffirmed the following principles for the achievement of comprehensive peace: the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in General Assembly resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. The Assembly also welcomed the convening at Madrid, on 30 October 1991, of the Peace Conference on the Middle East, which constitutes a significant step towards the establishment of a comprehensive, just and lasting peace in the region. It noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a transitional period, as part of the peace process; and requested the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region, and to submit progress reports on developments in this matter.

37. In adopting its programme of work, the Committee, taking into account the ongoing efforts to advance the peace process, decided to continue to give the utmost priority to the promotion of a comprehensive, just and lasting peace in the region based on internationally recognized principles and United Nations resolutions, and the convening of an International Peace Conference on the Middle East under the auspices of the United Nations.

38. The Committee was greatly encouraged by the overwhelming international support for its objectives and by the intensification of efforts in the international community in this regard, as reflected in particular in decisions adopted by United Nations bodies and intergovernmental organizations, and recommendations adopted by the regional seminars and by meetings of non-governmental organizations on the question of Palestine organized under the Committee's auspices.

4. Attendance at international conferences and meetings

39. In accordance with its mandate, the Committee was represented at the following international meetings during the period since its previous report to the General Assembly:

(a) Sixth Islamic Summit Conference, held at Dakar from 9 to 11 December 1991;

(b) Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held at Bali, Indonesia, from 14 to 16 May 1992;

(c) Fifty-sixth ordinary session of the Council of Ministers of the Organization of African Unity, held at Dakar from 22 to 28 June 1992, and twenty-eighth ordinary session of the Assembly of Heads of State and Government of that organization, held at Dakar from 29 June to 1 July 1992;

(d) Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992.

5. Action taken by United Nations bodies, the Movement of Non-Aligned Countries and intergovernmental organizations

40. The Committee continued to follow with great interest the activities relating to the question of Palestine of United Nations bodies, the Movement of Non-Aligned Countries and intergovernmental organizations. The Committee noted especially the support of the international community for the ongoing peace process and the hope that it would result in a comprehensive, just and lasting settlement in accordance with United Nations principles and resolutions. It also noted the great concern about the continuing violations of human rights by Israel, the occupying Power, and about its settlements policy, and the sense of urgency with which the international community addressed the need to ensure the safety and protection of the Palestinian people under occupation. The Committee took particular note of the following documents:

(a) Declaration on the peace process in the Middle East, issued by the European Council on 9 December 1991 (A/46/779, annex);

(b) Final communiqué and resolutions of the Sixth Islamic Summit Conference, held at Dakar from 9 to 11 December 1991 (A/47/88-S/23563, annex II, and annex III, resolutions 1/6-P(IS), 2/6-P(IS) and 3/6-P(IS));

(c) Statement on the deportation of 12 Palestinians from the occupied territories issued by the European Community and its member States on 4 January 1992 (A/46/839-S/23381, annex);

(d) Resolutions adopted by the Commission on Human Rights at its forty-eighth session (resolutions 1992/2 A and B, 1992/3 and 1992/4 of 14 February 1992); 7/

(e) Statement of the Presidency of the European Community on the Middle East, issued at Lisbon on 17 February 1992 (A/47/110, annex);

(f) Resolution 5159 of the Council of the League of Arab States meeting in extraordinary session on 20 February 1992, concerning Israeli settlement activity in the occupied Arab territories (A/46/883, annex);

(g) Resolution adopted by the World Health Assembly at its forty-fifth session, held at Geneva on 14 May 1992, concerning health conditions of the Arab population in the occupied Arab territories, including Palestine (WHA 45.26);

(h) Press communiqué issued by the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held at Bali, Indonesia from 14 to 16 May 1992 (A/47/225-S/23998, annex, paras. 17 and 18);

(i) Resolution adopted at the Fifth Extraordinary Session of the Islamic Conference of Foreign Ministers, held at Istanbul on 17 and 18 June 1992, entitled, "The cause of Palestine and Al-Quds Al-Sharif and the Arab-Israeli conflict" (A/47/592-S/24718, annex);

(j) Resolutions adopted by the Council of Ministers of the Organization of African Unity at its fifty-sixth ordinary session, held at Dakar from 22 to 28 June 1992 (A/47/558, annex I, CM/Res.1393 (LVI) and 1394 (LVI));

(k) Final communiqué of the Annual Coordination Meeting of the Ministers for Foreign Affairs of the Organization of the Islamic Conference, held at United Nations Headquarters on 23 September 1992 (A/47/483-S/24604, annex);

(l) Declaration of the European Council of Ministers of the European Economic Community on the Middle East peace process, issued at Lisbon on 25 June 1992 (A/47/309, annex);

(m) Resolutions adopted by the Economic and Social Council at its substantive session of 1992, held in New York from 29 June to 31 July (1992/16, 1992/57 and 1992/58);

(n) Communiqué adopted by the twenty-fifth Ministerial Meeting of the Association of South-East Asian Nations (ASEAN), held at Manila on 21 and 22 July 1992 (A/47/351-S/24357, annex, paras. 26 and 27);

(o) Final documents and the Jakarta Message adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992 (see A/47/675-S/24816);

(p) Statement issued by the Ministerial Council of the Gulf Cooperation Council at its forty-fourth session, held at Jeddah on 8 and 9 September 1992 (A/47/441-S/24559, annex).

B. Action taken by the Committee and the Division for Palestinian Rights in accordance with General Assembly resolutions 46/74 A and B

41. In adopting its programme of work for the year, the Committee decided to focus on the following priority issues:

(a) The imperative need to end human rights violations and to ensure the international protection of Palestinians in the occupied Palestinian territory, including Jerusalem, in accordance with the Fourth Geneva Convention and Security Council resolutions, and the promotion of measures to be taken by the High Contracting Parties to the Convention to ensure respect for its provisions;

(b) The adverse impact of Israel's settlement policy and practice on the exercise of the inalienable rights of the Palestinian people and the achievement of a just settlement of the question of Palestine;

(c) The deteriorating economic situation of the Palestinian people and the urgent need for international assistance to promote the independent social and economic development of the occupied Palestinian territory, including Jerusalem;

(d) The promotion of a comprehensive, just and lasting peace in the region based on internationally recognized principles and United Nations resolutions, and the convening of an International Peace Conference on the Middle East under the auspices of the United Nations.

42. The Committee also decided to organize meetings focused on one theme in order to examine in depth those priority issues and to exert a direct and effective influence on the course of action of Governments and intergovernmental bodies in that regard.

43. The Committee and Division for Palestinian Rights, pursuant to their respective mandates, organized a number of regional seminars and symposia and meetings for non-governmental organizations in 1992, as set out below.

1. Regional seminars

44. In accordance with the programme of work for 1992, Asian, North American and European regional seminars were included in the calendar of meetings to be held under the auspices of the Committee in the period under review.

(a) Asian Regional Semina:

45. The Asian Regional Seminar was held at Nicosia from 20 to 24 January 1992, jointly with the Asian Non-Governmental Organization Symposium. The Committee greatly appreciated the decision of the Government of Cyprus to provide the

venue for the Seminar and Symposium and to make a financial contribution thereto.

46. The Seminar considered the topics of three round tables: round table I, "A just settlement of the question of Palestine", round table II, "Safety and protection of the Palestinian people in the occupied Palestinian territory", and round table III, "International and regional issues". Presentations were made by 20 eminent experts from Asia and the United States of America, as well as Palestinians and Israelis. The Committee noted that the participants had adopted conclusions and recommendations in which they expressed deep concern at the violations of Palestinian human rights by Israel and called for measures to be taken to ensure respect by the occupying Power for the Fourth Geneva Convention. The participants also welcomed the convening of the Peace Conference on the Middle East at Madrid on 30 October 1991 and the subsequent bilateral talks between the parties in Washington, D.C., and expressed their earnest hope that the talks would be successful in establishing a comprehensive, just and lasting peace in the region. They noted in this connection that this process had the support of the parties concerned and had as its basis Security Council resolutions 242 (1967) and 338 (1973), which had long been recognized as the cornerstone of a comprehensive settlement. They stressed the essential need for an active role by the United Nations, the Secretary-General and the Security Council, for a successful outcome of the peace process. Further details on the Seminar and the text of the conclusions and recommendations adopted by the participants are contained in annex II.

(b) North American Regional Seminar

47. The North American Regional Seminar was held at United Nations Headquarters in New York on 22 and 23 June 1992. In accordance with the priorities established in its programme of work, the Committee decided to focus the Seminar on a single theme of particular urgency, namely, "Enforcing the Fourth Geneva Convention for ensuring the protection of the Palestinian people in the occupied Palestinian territory, including Jerusalem".

48. Seven eminent experts from North America, as well as Palestinians and Israelis, presented papers on this issue. In their conclusions and recommendations participants reiterated that the Fourth Geneva Convention applied de jure to all the territories occupied by Israel since 1967 and noted with serious concern numerous and persistent violations of the Convention by Israel. They declared that it was the duty of the High Contracting Parties to the Convention to ensure respect by Israel for its obligations under the Convention. In order to use the mechanisms contained in the Convention itself, participants suggested that the High Contracting Parties should utilize their consular presence more fully and effectively for monitoring purposes, and that a United Nations monitoring organization should also be established. Participants recommended that the idea of seeking an advisory opinion from the International Court of Justice on the matter be developed further. Some details on the Seminar and the text of the conclusions and recommendations adopted by the participants are contained in annex IV.

(c) European Regional Seminar

49. The European Regional Seminar was held at Qawra, Malta from 27 to 29 July 1991. The Committee was grateful to the Government of Malta for agreeing to provide the venue for this important Seminar.

50. The Seminar considered the topics of two round tables: round table I, "International action to ensure the safety and protection of the Palestinian people in the occupied Palestinian territory", and round table II, "Efforts to promote the implementation of United Nations resolutions on the question of Palestine and the situation in the Middle East".

51. Fifteen prominent experts from Europe, as well as Israelis and Palestinians, presented papers at the Seminar. The Committee noted that the Seminar participants had adopted conclusions and recommendations expressing support for the implementation of United Nations resolutions on the question of Palestine and had also expressed deep concern at the violations of Palestinian human rights by Israel and had called for measures to be taken to ensure respect by the occupying Power for the Fourth Geneva Convention. Some details on the Seminar and the text of the conclusions and recommendations adopted by the participants are contained in annex VI.

2. Cooperation with non-governmental organizations

52. The Committee, in accordance with its mandate under General Assembly resolution 46/74 A, continued to extend its cooperation to non-governmental organizations (NGOs) active on the question of Palestine and to expand its contacts with them. The Division for Palestinian Rights, in consultation with the Committee and under its guidance, organized regional symposia and an international meeting for non-governmental organizations during 1992 in implementation of the Committee's objective. The Committee noted that non-governmental organizations had further intensified their activities to assist the Palestinian people and to promote a just and comprehensive peace.

(a) Asian Regional Non-Governmental Organization Symposium

53. The Asian Regional Non-Governmental Organization Symposium was held at Nicosia from 20 to 24 January 1992 together with the Asian Regional Seminar. The participants considered the topics of the three round tables mentioned above (para. 46) jointly with the Seminar participants. Three workshops were organized separately for the Symposium on the theme "Developing solidarity activities by Israeli and other organizations with Palestinian women, physicians, health workers and students". The Committee noted that the participating organizations had pledged to undertake new activities and to expand further the NGO network in the Asia region, and had elected a coordinating committee for this purpose. Some details on the Symposium and the text of the final declaration are continued in annex III.

(b) North American Regional Non-Governmental Organization Symposium

54. The North American Regional Non-Governmental Organization Symposium was held at United Nations Headquarters from 24 to 26 June 1992, immediately following the North American Regional Seminar, in accordance with the practice followed in previous years. The programme for the Symposium was elaborated in consultations between the Committee and the North American Coordinating Committee for NGOs on the Question of Palestine within the framework of a preparatory meeting held in New York on 3 and 4 February 1992.

55. The programme for the Symposium provided for two main panels, on the themes "Twenty-five years of occupation: overcoming the obstacles" and "Preparing the way for Palestine". The programme also included a teach-in, a resource fair, eight workshops and four skills training workshops. The Committee noted that the North American Symposium had adopted a variety of concrete proposals and action programmes to guide their future work. Details on the Symposium are contained in annex V.

(c) European Regional Non-Governmental Organization Symposium

56. The European Non-Governmental Organization Symposium was held at Geneva on 24 and 25 August 1992, and was followed by the International Non-Governmental Organization Meeting, which was held from 26 to 28 August 1992.

57. The programmes for the Symposium and the Meeting were elaborated by the Committee in consultation with the European Coordinating Committee for NGOs on the Question of Palestine and the International Coordinating Committee for NGOs on the Question of Palestine within the framework of a preparatory meeting held at Geneva on 30 and 31 March 1992.

58. The European Symposium had for its theme "Working for peace: European coordination". The programme included two plenary sessions which considered the responsibilities of European governmental and non-governmental bodies towards the Palestinian people and the report of the members of the European Coordinating Committee on their Committee's activities during the period August 1991 to August 1992. Two workshops were also held. The Symposium also heard three reports on ongoing projects by NGOs initiated at the 1991 Symposium. The Symposium adopted a declaration and workshop reports. Details on the Symposium and the text of the declaration are contained in annex VII.

(d) International Non-Governmental Organization Meeting

59. The International Non-Governmental Organization Meeting was held under the theme "Protection and statehood". The programme consisted of three panels which dealt with protection, statehood and the NGO process, respectively. Arrangements were also made for 12 action-oriented working groups and task forces. The Committee noted that the Meeting had adopted a declaration and action-oriented proposals emanating from the workshops. Further details on the Meeting and the text of the declaration are contained in annex VIII.

3. Information activities

60. The Committee noted with appreciation that the Division for Palestinian Rights, in accordance with its mandate, continued to respond to information requests and prepare the following publications, under the guidance of the Committee, for dissemination:

(a) Monthly bulletins covering action by the Committee, other United Nations organs, and intergovernmental and non-governmental organizations concerned with the question of Palestine;

(b) Monthly and bi-monthly reports on developments relating to the question of Palestine, monitored from the Arabic, English and Hebrew press for the use of the Committee;

(c) Compilations of relevant statements, declarations and proposals regarding the settlement of the Arab-Israeli conflict and the question of Palestine;

(d) Reports of regional seminars, regional symposia and international meetings of non-governmental organizations.

61. The Committee noted that the Division had issued a study entitled "Water resources of the occupied Palestinian territory" updating an earlier brochure on the question of Palestine prepared in the late 1970s, and a compilation of papers presented by experts at seminars organized by the Committee, entitled "Question of Palestine: legal aspects". The Division was also preparing an updated version of a study entitled "Acquisition of land in Palestine".

62. An updated issue of the information note entitled "The Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights" (May 1992) was prepared. The information note was issued in the six official United Nations languages, as well as in German and Japanese.

63. The following documents were also issued by the Division during the period under review: Resolutions and decisions of the General Assembly and the Security Council relating to the question of Palestine: 1991 (A/AC.183/L.2/Add.12) and a special bulletin on the commemoration of the International Day of Solidarity with the Palestinian People.

4. International Day of Solidarity with the Palestinian People

64. The International Day of Solidarity with the Palestinian People was observed on 29 November 1991 at United Nations Headquarters in New York and at the United Nations Offices at Geneva and Vienna. The Committee noted with appreciation that the International Day had also been commemorated in many other cities throughout the world in 1991.

5. Computer-based information system

65. In its programme of work for 1992, the Committee stressed the high importance it attached to the establishment in the Division for Palestinian Rights of a computer-based information system as requested by the Committee in its programme of work for 1991 and approved by the General Assembly in resolution 46/74 B. The Committee noted that a feasibility study of the proposed system had been prepared by the Secretariat. It also noted that initial hardware components of the system had been acquired and that development work for the system was proceeding.

V. ACTION TAKEN BY THE DEPARTMENT OF PUBLIC INFORMATION IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTION 46/74 C

66. The Department of Public Information continued to provide press coverage of all meetings of relevant United Nations bodies, including the Security Council and the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Press releases were issued on regional seminars and symposia organized by the Committee, including those held in Malta and New York.

67. Additional press releases were issued containing the texts of the Secretary-General's statements relating to the question of Palestine and the situation in the occupied Arab territories, and press releases issued by UNRWA on its activities were reissued and disseminated by the Department. Forty-seven press releases in total were issued on the question of Palestine.

68. All regional seminars and non-governmental organization symposia on the question of Palestine sponsored by the Committee were covered extensively in weekly regional magazines.

69. UN Chronicle magazine continued to publish stories relating to Palestinian issues, including Security Council actions and results of special meetings and seminars.

70. The Public Inquiries Unit of the Department responded to 290 requests for information on Palestine. In addition, the subject was included in the presentation made to visitors taking the guided tour of Headquarters; for the first half of 1992, visitors numbered 230,623.

71. The Group Programme Unit of the Department arranged briefings on Palestine, given by Secretariat officials and delegation members, for 21 groups visiting Headquarters.

72. The Department continued to distribute its publications, including a revised version of the booklet The United Nations and the Question of Palestine, the booklet For the Rights of Palestinians: Work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the booklet Human Rights for the Palestinians: The Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. A total of 14,639 of these publications were distributed in Arabic, English, French, German and Spanish.

73. The Department initiated the distribution of the following new publications: Prospects for Peace in the Middle East: an Israeli-Palestinian Dialogue, published in English and French, which reflects the debate which took place at the International Encounter for European Journalists on the Question of Palestine organized by the Department at Helsinki in 1991; Life of the Palestinians under Israeli Occupation, which chronicles the plight of the Palestinian people since the beginning of the occupation with particular emphasis on the years of the intifadah, issued in English and French with other languages scheduled for a later date; and a poster by renowned French artist Michel Granger, which promotes the right of self-determination of the Palestinian people, published in various languages, including English, French and Arabic.

74. World Chronicle, the 30-minute panel discussion video programme, featured Ambassador Ilter Türkmen, Commissioner-General of UNRWA. He spoke about gradual adjustment of the Agency's programmes to meet the needs of refugees in a changing global political and economic climate, and also stressed the continued efforts of the Agency to care for more than two million refugees in the occupied Palestinian territory and in neighbouring Arab countries.

75. The Department covered various aspects of the question of Palestine and related issues in news bulletins and current affairs radio programmes in various languages. Some of the topics covered were: "Escalation of violence in the Middle East", "Deportation of Palestinian civilians from the occupied territories", "Proceedings of the Committee on the Exercise of the Inalienable Rights of the Palestinian People", "Promotion and safety of Palestinian civilians" and "New hospital for Palestinians in the Gaza Strip". In addition, the Department produced five radio feature programmes devoted exclusively to the question of Palestine, namely "Expulsion of 12 Palestinians", "Palestinian question", "The situation in the occupied territories" and "A resolution revoking the General Assembly's determination that zionism is a form of racism and racial discrimination". These programmes were produced in Arabic, Bangla, Chinese, Dutch, English, French, Hindi, Indonesian, Turkish and Urdu for worldwide dissemination. In addition, a radio officer travelled to Cyprus to cover the five-day Asian regional seminar and NGO symposium on the question of Palestine. His reports were incorporated in the daily news bulletins and all regional magazines and feature programmes.

76. On 5 May 1991, at Dublin, the Department sponsored an encounter for Irish journalists on the question of Palestine. On the advice of the Irish Government, the encounter was hosted in cooperation with the Centre for European Economic and Public Affairs, University College, Dublin. The theme of the encounter was "Preparing for peace: the imperative for interim relief in the occupied Palestinian territory". Speaking on this theme were three panelists - two Palestinians and an Israeli - as well as a Middle East expert from the Commission of the European Communities. A second Israeli panelist, unable to attend, submitted a paper which was read to the encounter. The panelists, media representatives and other Irish experts held a substantive dialogue.

77. The panelists were: Afif Safieh, head of the PLO delegation to the United Kingdom of Great Britain and Northern Ireland; Charles Anthony Shamas, member of the board of al-Haq, West Bank affiliate of the International Commission of Jurists and Director of the Mattin Centre for Production Development at Ramallah; and Arnold Spaer, partner in the law firm of Spaer, Sitton and Co. in Jerusalem, whose clients include Bir Zeit University in the West Bank, the Palestinian human rights association al-Haq and Hebrew University. Absent was David Kretzmer, Chairman of the National Board of the Association for Civil Rights in Israel and Professor of Law at Hebrew University in Jerusalem. Representing the Commission of the European Communities was Bettina Muscheidt, from its Occupied Territories Desk. The encounter was moderated by the Chief of the Anti-Apartheid, Decolonization and Palestine Programmes Section of the Department of Public Information.

78. From 16 to 17 September 1992, at Lisbon, the Department sponsored, with the support of the Portuguese Government and the Portuguese newspaper Público, an international encounter for European journalists on the question of

Palestine. It explored, from a European perspective, and after reviewing the peace process launched on 30 October 1991 at Madrid, ways and means to build peace in the Middle East. During the meeting, a number of issues were recognized as important and various points of agreement were reached.

79. Three issues were repeatedly advanced during the discussions at Lisbon: the welcoming of Europe as a significant player, economically and politically, in the ongoing peace process; the renewed recognition of the United Nations role in constructive peace-building and the necessity of the consensus of the international community, as the ultimate legitimate framework for a successful outcome to the negotiations; and the evolution of dialogue between the parties to the conflict.

80. The panelists attending the encounter were: Jamil Hilal, Director of the Information Department of the PLO and member of the Palestine National Council (PNC); Hisham Mustapha, Department of Arab and International Affairs of the PLO and member of the PNC; Ziad Abu Zyyad, Adviser to the Palestinian Negotiating Team; Avraham Burg, Member of the Knesset, Israel; Naomi Chazan, Member of the Knesset, Israel; Walid Al-Sa'adi, Personal Representative of H.R.H. Crown Prince Hassan, Jordan; Hans Stercken, Chairman of the Foreign Relations Committee of the Bundestag, Germany; Francisco Henriques da Silva, Director for Middle East and Maghreb Affairs, Ministry of Foreign Affairs, Portugal; and William B. Quandt, Senior Fellow at the Brookings Institution, Washington, D.C. The encounter was moderated by the Director-General of the United Nations Office at Vienna. Fifty-two news organizations from Europe, Israel and Palestine were represented.

81. The Department prepared for a news mission to the Middle East which will take place in early December 1992. The mission will provide European journalists an opportunity to acquaint themselves firsthand with the facts of the question of Palestine. To this end, meetings will be arranged with the leadership of the PLO, senior government officials of Egypt, Jordan, the Syrian Arab Republic and Tunisia, as well as individual Palestinians in the refugee camps. Twelve to 15 senior journalists from Europe will participate in the mission.

82. Several United Nations information centres and information services undertook special publicity campaigns on the question of Palestine. The London centre assisted in the planning for the encounter for Irish journalists on the question of Palestine held at Dublin and helped secure the participation of 55 journalists and experts in the encounter. Additionally, numerous European information centres - especially that of Lisbon - assisted in the planning of the international encounter held there for European journalists on the question of Palestine. The Lisbon centre assisted with government and media liaison, and provided administrative support for the encounter. The information service at Geneva provided coverage, media liaison and administrative support for the Sixth United Nations European Regional NGO Symposium. The Brussels information centre reported on an exhibit of Palestinian and Israeli children's drawings, attended by over 200 people, including the Queen of Belgium, the Belgian Foreign Minister and the representative of the PLO. The Department, both at Headquarters and through the relevant information centres, also publicized and assisted the 1992 mission to the Middle East of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

83. The network of information centres provides, on a continuous basis, coverage for United Nations activities on the subject of Palestine. The centres produce newsletters, send out press releases and fax news, and brief media representatives on a regular basis. The staff organize film screenings and disseminate publications and posters produced both by the Department of Public Information and the Division of Palestinian Rights.

84. During this reporting period, 120 representatives of non-governmental organizations attended a briefing on the work of UNRWA given by the Director of the UNRWA Liaison Office in New York with the assistance of the Department. The briefing included a screening of "Partners in change", an UNRWA video about women. In addition, the Department featured and distributed United Nations information materials, documents and press releases to representatives of non-governmental organizations, including all documents disseminated by the Division for Palestinian Rights, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and UNRWA. The Department also oversaw an active re-dissemination programme of United Nations information materials through non-governmental organizations such as the Presbyterian Church.

VI. RECOMMENDATIONS OF THE COMMITTEE

85. The year 1992 marked the twenty-fifth anniversary of the occupation by Israel of the Palestinian and other Arab territories, including Jerusalem. While welcoming the peace process initiated at Madrid in October 1991 and expressing the hope that it will lead to substantive results, the Committee draws once again the attention of the international community to the fact that the occupation continues, buttressed by harsh and repressive measures, causing serious suffering and hardship among Palestinians and an unending cycle of violence in the region. The Committee considers that the permanence of occupation and the denial of Palestinian rights, in particular the right to self-determination, are the major obstacles to the attainment of peace.

86. The Committee expresses its continued and full support for the intifadah, the courageous struggle of the Palestinian people, to end Israeli occupation and implement the proclamation of independence of November 1988. Through the intifadah, the Palestinian people has clearly expressed its determination to bring about the exercise of its inalienable national rights and has affirmed that the Palestine Liberation Organization is its sole legitimate representative. The Committee reaffirms the international consensus that the attainment and exercise of Palestinian rights, in accordance with United Nations resolutions, are indispensable for the settlement of the Arab-Israeli conflict, the core of which is the question of Palestine. The Committee calls once again upon the international community as a whole to intensify further its efforts to bring about this essential objective.

87. The Committee recalls that the Peace Conference on the Middle East convened under the co-sponsorship of the United States and the former Soviet Union has the support of all the parties and has for its frame of reference Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace. The Committee expresses its earnest hope that this process will bring about a comprehensive, just and lasting settlement to the question of Palestine based on internationally recognized principles and United Nations resolutions. The Committee stresses the essential need for an active role by the United Nations, the Security Council and the Secretary-General, for a successful outcome of the peace process.

88. The Committee reaffirms that the United Nations has a permanent responsibility with respect to the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy.

89. The Committee recalls that an international consensus has been reached over the years on the essential principles for the achievement of comprehensive peace, as recommended initially by the Committee (see annex I) and subsequently elaborated by the International Conference on the Question of Palestine held at Geneva in 1983, and relevant General Assembly resolutions, the latest of which was resolution 46/75. The Committee reaffirms that these principles include the withdrawal of Israel from the occupied Palestinian and other Arab territories, including Jerusalem; respect for the right of all States in the region to live in peace within secure and internationally recognized boundaries; and the recognition and exercise of the inalienable national rights of the Palestinian people, primarily the right to self-determination.

90. The Committee considers that, in the recent elections, a majority of the Israeli public has voted for peace and expresses the earnest hope that the new Israeli Government will recognize and respect the national aspirations and rights of the Palestinian people, in particular the right to self-determination, and institute radical changes in Israel's policies in favour of peace. The Committee urges the Government to take immediate measures for the restoration of the fundamental human rights and freedoms of Palestinians living under occupation, in accordance with Israel's obligations under international law. The Committee notes with concern reports from various sources that initial goodwill statements and measures by the new Government have failed to improve the situation in the occupied Palestinian territory, and have been followed by increased repression of demonstrations during the prisoners' hunger strike in October 1992. The Committee calls on the Government to act immediately to end extrajudicial killings, cease all land confiscation and settlement activities, release political prisoners, end deportations, administrative detention, ill-treatment and torture of prisoners, restore freedom of movement and other civil liberties, and repeal the military orders through which it controls every area of Palestinian daily life. The Committee calls once again on Israel to recognize the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the occupied Palestinian territory and to implement its provisions and those of the various human rights instruments to which it is a party. The Committee considers that the fact that a peace process is under way does not detract in any way from Israel's obligations in this regard.

91. Pending progress towards a political settlement, the Committee considers it is of the utmost urgency that all necessary measures be taken to protect the Palestinian people in the Palestinian territory occupied since 1967, including Jerusalem, in accordance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and numerous resolutions of the Security Council and the General Assembly. The Committee considers that it is now all the more urgent for the High Contracting Parties to the Geneva Convention and for the United Nations system as a whole to take action to ensure that Israel abide by its obligations as the occupying Power, in accordance with Security Council resolution 681 (1990). The Committee draws attention in this regard to the relevant recommendations made by the participants in the North American Regional Seminar on the theme "Enforcing the Fourth Geneva Convention for ensuring the protection of the Palestinian people in the occupied Palestinian territory, including Jerusalem" (see annex IV).

92. The Committee wishes to reaffirm that the United Nations has a duty and responsibility to render all assistance necessary to promote the social and economic development of the Palestinian territory occupied since 1967, including Jerusalem, in preparation for the full exercise of national sovereignty in accordance with the relevant United Nations resolutions. The Committee accordingly reiterates its call upon the organizations of the United Nations system, as well as on Governments and on intergovernmental and non-governmental organizations, to sustain and increase their economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization. Mindful of the importance of this issue and of the need to increase its own efforts to promote international action, the Committee has decided to devote its 1993 European Seminar to the question of assistance to the Palestinian people, in accordance with the proposal made by the Economic and Social Council in resolution 1992/58.

93. The Committee notes with satisfaction the increased international support for the attainment of a comprehensive, just and lasting solution of the question of Palestine in accordance with international principles and United Nations resolutions in the year under review. The Committee believes that its programme of regional seminars, non-governmental organization meetings and other informational activities has played a valuable role in this process and it will continue to strive to achieve maximum effectiveness in the implementation of its mandate. The Committee will continue and intensify its efforts to ensure that those meetings provide a useful forum for promoting a constructive debate and a concrete and action-oriented analysis of the most important issues relating to the question of Palestine. The Committee once again extends an invitation to all Governments, including those of the United States of America and Israel, to participate in its work and in the events organized under its auspices.

94. The Committee considers that the programme of research, studies and publications of the Division for Palestinian Rights is an essential resource for information, analysis and promotion of international action, and calls for its strengthening through the establishment of an adequately staffed and equipped computerized system.

Notes

1/ Official Records of the General Assembly, Thirty-first Session, Supplement No. 35 (A/31/35).

2/ Ibid., Thirty-second Session, Supplement No. 35 (A/32/35); ibid., Thirty-third Session, Supplement No. 35 (A/33/35); ibid., Thirty-fourth Session, Supplement No. 35 (A/34/35 and Corr.1); ibid., Thirty-fifth Session, Supplement No. 35 (A/35/35); ibid., Thirty-sixth Session, Supplement No. 35 (A/36/35); ibid., Thirty-seventh Session, Supplement No. 35 (A/37/35 and Corr.1); ibid., Thirty-eighth Session, Supplement No. 35 (A/38/35); ibid., Thirty-ninth Session, Supplement No. 35 (A/39/35); ibid., Fortieth Session, Supplement No. 35 (A/40/35); ibid., Forty-first Session, Supplement No. 35 (A/41/35); ibid., Forty-second Session, Supplement No. 35 (A/42/35); ibid., Forty-third Session, Supplement No. 35 (A/43/35); ibid., Forty-fourth Session, Supplement No. 35 (A/44/35); ibid., Forty-fifth Session, Supplement No. 35 (A/45/35), and ibid., Forty-sixth Session, Supplement No. 35 (A/46/35).

3/ Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, United Nations Treaty Series, vol. 75, No. 973.

4/ Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

5/ The observers at the Committee meetings were as follows: Algeria, Bangladesh, Bulgaria, China, Czechoslovakia, Ecuador, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Nicaragua, Niger, Qatar, Sri Lanka, Syrian Arab Republic, United Arab Emirates, Viet Nam, the League of Arab States and the Organization of the Islamic Conference. Palestine, represented by the Palestine Liberation Organization, as the representative of the Palestinian people, the principal party to the question of Palestine, was also an observer.

6/ The membership of the Working Group was as follows: Afghanistan, Belarus, Cuba, Guinea, Guyana, India, Malta, Pakistan, Senegal, Tunisia, Turkey, Ukraine and Palestine, represented by the Palestine Liberation Organization, as the representative of the people directly concerned.

7/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II.

ANNEX I

Recommendations of the Committee endorsed by the General Assembly at its thirty-first session*

I. Basic considerations and guidelines

59. The question of Palestine is at the heart of the Middle East problem, and consequently, the Committee stresses its belief that no solution in the Middle East can be envisaged which does not fully take into account the legitimate aspirations of the Palestinian people.

60. The legitimate and inalienable rights of the Palestinian people to return to their homes and property and to achieve self-determination, national independence and sovereignty are endorsed by the Committee in the conviction that the full implementation of those rights will contribute decisively to a comprehensive and final settlement of the Middle East crisis.

61. The participation of the Palestine Liberation Organization (PLO), the representative of the Palestinian people, on an equal footing with other parties, on the basis of General Assembly resolutions 3236 (XXIX) and 3375 (XXX), is indispensable in all efforts, deliberations and conferences on the Middle East which are held under the auspices of the United Nations.

62. The Committee recalls the fundamental principle of the inadmissibility of the acquisition of territory by force and stresses the consequent obligation for complete and speedy evacuation of any territory so occupied.

63. The Committee considers that it is the duty and responsibility of all concerned to enable the Palestinians to exercise their inalienable rights.

64. The Committee recommends an expanded and more influential role by the United Nations and its organs in promoting a just solution to the question of Palestine and in the implementation of such a solution. The Security Council, in particular, should take appropriate action to facilitate the exercise by the Palestinians of their right to return to their homes, lands and property. The Committee, furthermore, urges the Security Council to promote action towards a just solution, taking into account all the powers conferred on it by the Charter of the United Nations.

65. It is with this perspective in view and on the basis of the numerous resolutions of the United Nations, after due consideration of all the facts, proposals and suggestions advanced in the course of its deliberations, that the Committee submits its recommendations on the modalities for the implementation of the exercise of the inalienable rights of the Palestinian people.

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* Official Records of the General Assembly, Thirty-first Session, Supplement No. 35 (A/31/35), paras. 59-72.

II. The right of return

66. The natural and inalienable right of Palestinians to return to their homes is recognized by resolution 194 (III), which the General Assembly has reaffirmed almost every year since its adoption. This right was also unanimously recognized by the Security Council in its resolution 237 (1967); the time for the urgent implementation of these regulations is long overdue.

67. Without prejudice to the right of all Palestinians to return to their homes, lands and property, the Committee considers that the programme of implementation of the exercise of this right may be carried out in two phases.

Phase one

68. The first phase involves the return to their homes of the Palestinians displaced as a result of the war of June 1967. The Committee recommends that:

(a) The Security Council should request the immediate implementation of its resolution 237 (1967) and that such implementation should not be related to any other condition;

(b) The resources of the International Committee of the Red Cross (ICRC) and/or of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, suitably financed and mandated, may be employed to assist in returning to their homes. These agencies could also assist, in cooperation with the host countries and the PLO, in the identification of the displaced Palestinians.

Phase two

69. The second phase deals with the return to their homes of the Palestinians displaced between 1948 and 1967. The Committee recommends that:

(a) While the first phase is being implemented, the United Nations, in cooperation with the States directly involved, and the PLO as the interim representative of the Palestinian entity, should proceed to make the necessary arrangements to enable Palestinians displaced between 1948 and 1967 to exercise their right to return to their homes and property, in accordance with the relevant United Nations resolutions, particularly General Assembly resolution 194 (III);

(b) Palestinians choosing not to return to their homes should be paid just and equitable compensation as provided for in resolution 194 (III).

III. The right to self-determination, national independence and sovereignty

70. The Palestinian people has the inherent right to self-determination, national independence and sovereignty in Palestine. The Committee considers that the evacuation of the territories occupied by force and in violation of the principles of the Charter of the United Nations and relevant resolutions of the United Nations is a condition sine qua non for the exercise by the Palestinian people of its inalienable rights in Palestine. The Committee

considers furthermore that, upon the return of the Palestinians to their homes and property and with the establishment of an independent Palestinian entity, the Palestinian people will be able to exercise its rights to self-determination and to decide its form of government without external interference.

71. The Committee also feels that the United Nations has an historical duty and responsibility to render all assistance necessary to promote the economic development and prosperity of the Palestinian entity.

72. To those ends, the Committee recommends that:

(a) A timetable should be established by the Security Council for the complete withdrawal by Israeli occupation forces from those areas occupied in 1967; such withdrawal should be completed no later than 1 June 1977;

(b) The Security Council may need to provide temporary peace-keeping forces in order to facilitate the process of withdrawal;

(c) Israel should be requested by the Security Council to desist from the establishment of new settlements and to withdraw during this period from settlements established since 1967 in the occupied territories. Arab property and all essential services in those areas should be maintained intact;

(d) Israel should also be requested to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to declare, pending its speedy withdrawal from those territories, its recognition of the applicability of that Convention;

(e) The evacuated territories, with all property and services intact, should be taken over by the United Nations, which, with the cooperation of the League of Arab States, will subsequently hand over those evacuated areas to the PLO as the representative of the Palestinian people;

(f) The United Nations should, if necessary, assist in establishing communications between Gaza and the West Bank;

(g) As soon as the independent Palestinian entity has been established, the United Nations, in cooperation with the States directly involved and the Palestinian entity, should, taking into account General Assembly resolution 3375 (XXX), make further arrangements for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions;

(h) The United Nations should provide the economic and technical assistance necessary for the consolidation of the Palestinian entity.

ANNEX II

Conclusions and recommendations adopted by the Twenty-ninth United Nations Seminar on the Question of Palestine

(Nicosia, 20 to 24 January 1992)

1. The Sixth United Nations Asian Regional Seminar (Twenty-ninth United Nations Seminar) on the Question of Palestine and the Fourth United Nations Asian Regional NGO Symposium on the Question of Palestine were held at the Cyprus International Conference Centre, Nicosia, from 20 to 24 January 1992, in accordance with General Assembly resolution 46/74 B. The Seminar and NGO Symposium took place for the most part as a combined event.

2. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation comprising Mr. Kéba Birane Cissé (Senegal), Chairman of the Committee and Chairman of the Seminar; Mr. Victor Camilleri (Malta), Rapporteur of the Committee, Vice-Chairman and Rapporteur of the Seminar; Mr. Andreas Mavrommatis (Cyprus), Vice-Chairman of the Seminar; Mr. Dinesh Kumar Jain (India); and Mr. Nasser Al-Kidwa (Palestine).

3. A total of nine plenary meetings were held and 20 experts presented papers on various aspects of the question of Palestine. Representatives of 22 Governments, Palestine, 1 specialized agency, 3 United Nations organs, 1 intergovernmental organization and 48 non-governmental organizations attended the Seminar and NGO Symposium.

4. The Seminar adopted conclusions and recommendations and a motion of thanks to the Government and people of Cyprus.

5. At the opening meeting of the Seminar and NGO Symposium statements were made by the Minister for Foreign Affairs of Cyprus, the representative of the Secretary-General of the United Nations, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the representative of Palestine, who read out a message from the Chairman of the Executive Committee of the Palestine Liberation Organization, and by the representative of the Asian Coordinating Committee for NGOs on the Question of Palestine.

6. Three round tables were established. The topics addressed and the panelists were as follows:

(a) Round table I. A just settlement of the question of Palestine

(i) The inalienable rights of the Palestinian people

Mr. Muhammad Hallaj (Palestinian)
Mr. He Yafei (China)
Mr. Don Betz (United States of America)

(ii) Israeli withdrawal from the occupied Palestinian territory

Mr. Hashim Mahamid (Israel)

(iii) Israeli settlements

Mr. Ian S. Lustick (United States of America)

(iv) Palestinian refugees

Mr. Ron Macintyre (New Zealand)

(v) Jerusalem

Mr. Moshe Amirav (Israel)
Mr. Albert Aghazarian (Palestinian)

(vi) Security arrangements in the region

Mr. Mattityahu Peled (Israel)
Mr. Yezid Sayigh (Palestinian)

(vii) Presentations on the round table as a whole

Mr. Radwan Abu-Ayyash (Palestinian)
Ms. Yael Dayan (Israel)

(b) Round table II. Safety and protection of the Palestinian people in the occupied Palestinian territory

The current situation in the occupied Palestinian territory as regards the need for humanitarian assistance to the Palestinian people

Dr. Ahmad Yaziji (Palestinian)

(c) Round table III. International and regional issues

(i) International responsibility for advancing the peace process

Mr. A. H. Rizavi (India)

(ii) Nuclear and conventional armament in the region

Mr. Omran El-Shafie (Egypt)

(iii) International economic assistance to the Palestinian people and to the region

Mr. Ryoji Tateyama (Japan)
Mr. Vassos Lyssarides (Cyprus)
Mr. Mohamad Amerah (Jordan)

(iv) Jewish immigration

Dr. Muhammad Hallaj (Palestinian)
Mr. Ian S. Lustick (United States of America)

7. The summary of the proceedings will be issued in due course as a publication of the Division for Palestinian Rights of the United Nations Secretariat.

Conclusions and recommendations

8. The conclusions and recommendations adopted by the Seminar participants are as follows:

(a) The participants welcomed the convening of the Asian Seminar and NGO Symposium as an important contribution to continuing efforts to bring about a just and lasting settlement of the question of Palestine. They emphasized the significance of the role that the Asian region had to play, and could continue to play, towards this objective. They particularly welcomed the holding of the meeting in Cyprus because of its traditional friendly ties with the peoples in the region and its geographical proximity to the Middle East.

(b) The participants noted that the fundamental changes in the international political scene created fresh opportunities for renewed efforts to resolve outstanding problems. In this connection they stressed the importance of equal applicability of the purposes and principles of the United Nations Charter and the norms of international law.

(c) The participants expressed their appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights for having once again provided a forum for an in-depth exchange of views on key aspects of the Palestine question. They reaffirmed their determination to continue to work for a just and peaceful settlement. They felt that their discussions had been useful and constructive and had covered a wide range of topics, thereby contributing to better understanding of the positions of the parties to the conflict, and helping to identify important issues for further discussion.

(d) The participants reiterated the essential elements of a comprehensive, just and lasting settlement of the question of Palestine which include: withdrawal of Israeli forces from the Palestinian territory occupied since June 1967, including Jerusalem, and other occupied Arab territories; respect for the right of all States in the region to live in peace within secure and internationally recognized boundaries; and the recognition and exercise of the legitimate national rights of the Palestinian people, primarily the right to self-determination, in accordance with the pertinent resolutions of the United Nations.

(e) The participants welcomed the convening of the Peace Conference on the Middle East at Madrid on 30 October 1991 and the subsequent bilateral talks between the parties in Washington, D.C., and expressed their earnest hope that the talks would be successful in establishing a comprehensive, just and lasting peace in the region. They noted in this connection that this process had the support of the parties concerned and had as its basis Security Council resolutions 242 (1967) and 338 (1973), which had long been recognized as the cornerstone of a comprehensive settlement. They stressed the essential need for an active role by the United Nations, the Secretary-General and the Security Council, for a successful outcome of the peace process.

(f) The participants expressed the utmost concern at the continuing settlement activity and land confiscation in the occupied Palestinian territory, including Jerusalem, which had come to pose an existential threat to the Palestinian community never experienced by previous generations. They stressed the illegal nature of those settlements and the imperative need for the immediate halt of settlement activity for the success of the peace process. Furthermore, they expressed concern at the provocative actions of Israeli settlers against Palestinian civilians. They underlined the obligation of Israel to respect fully the provisions of the Fourth Geneva Convention and relevant Security Council resolutions. They urged the peace forces in Israel to strengthen their activities in opposition to further settlements and in favour of withdrawal. The participants expressed the view that economic assistance to Israel should be made conditional upon the termination of the settlement policy.

(g) The participants condemned the settlement of immigrants and Israeli citizens in the occupied Palestinian territory, including Jerusalem, and urged the Security Council and other relevant international bodies to take appropriate measures to address this serious problem.

(h) The participants stressed the fundamental linkage between an overall political settlement based on the principle of Palestinian self-determination and a solution of the continuing plight of the Palestinian refugees in accordance with relevant United Nations resolutions, in particular General Assembly resolution 194 (III). They pointed out that such a solution would greatly contribute to the achievement of peace and stability and economic development in the region. They expressed deep appreciation to UNRWA for its work carried out under difficult circumstances, and called on all Governments to contribute generously to its activities and to the activities of other United Nations agencies active in the region.

(i) The participants expressed the most serious concern at the continued threat of a wider conflict in the region, which was aggravated by the increasing arms race. They stressed that arms control measures in both conventional arms and weapons of mass destruction can only be effective if they are structured as an integral part of a political and territorial settlement to the Arab-Israeli conflict. They also emphasized the necessity for the Governments in the region to consider seriously the establishment of a nuclear-arms free zone in the region as requested by the General Assembly of the United Nations in its various resolutions.

(j) The participants recognized that the intifadah is the expression of the national will of the Palestinian people and of its determination to remain on its land and to attain its inalienable national rights. They reaffirmed the right of the Palestinian people to choose its own leadership, the Palestine Liberation Organization. They voiced deep concern that in its efforts to repress the intifadah, Israel continued to violate the fundamental human rights of Palestinians, in violation of the Fourth Geneva Convention and generally recognized norms of international law, as well as numerous United Nations resolutions. The Security Council, in resolution 681 (1990) had urged once again the Government of Israel to accept the de jure applicability of that convention and had asked the High Contracting Parties to ensure that Israel fulfilled its obligations as the occupying Power. The participants stressed that Israel be required to abide fully with international law in its

treatment of tens of thousands of Palestinian prisoners and detainees. Participants appealed to the Security Council to persevere in its responsibility to ensure the physical protection and to guarantee the safety and security of all Palestinian people living under Israeli occupation by, inter alia, strengthening the United Nations presence in the occupied territory. They noted that the Security Council in resolution 726 (1992) had strongly condemned Israel's deportation of Palestinians, and called for an end to that policy and the return of all those deported.

(k) The participants expressed great concern at the negligence and indifference of the Israeli authorities to public health in the occupied territory, particularly with regard to water supply and quality, sanitation, and the provision of medical care. They condemned reported abuses by Israeli forces of Palestinian patients. They called on the international community as a whole to intensify its assistance to meet the health needs in the occupied territory, and called for the cessation of measures shutting down educational institutions as a form of collective punishment. They also emphasized the need for protection of Palestinian trade union organizations and their activities.

(l) The participants noted with great concern that the current situation in the occupied Palestinian territory was characterized by economic collapse and massive and dangerous levels of poverty. The participants strongly deplored the continued constraints imposed by Israel on Palestinian economic development and recognized the important interconnections between economic advancement and the promotion of peace. They called for long-term developmental measures to liberate the Palestinian economy from its subordination to, and dependence on, the Israeli economy, as well as for short-term immediate humanitarian assistance to the Palestinian people. They stressed that the international community has a duty and responsibility to render all assistance necessary to promote the social and economic development of the Palestinian people in the occupied territory in preparation for the full exercise of national sovereignty, and called on all United Nations organizations concerned to intensify their efforts in this regard.

(m) The participants expressed their appreciation to the Secretary-General of the United Nations for his constant efforts to bring about a peaceful settlement of the Arab-Israeli conflict, and for his support for the programme of work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights. They expressed confidence that the Committee and the Division would continue and increase their activities to promote a constructive debate and a concrete and action-oriented analysis of the most important issues relating to the question of Palestine.

(n) The participants expressed their warm appreciation to the Government and the people of Cyprus for providing a venue for the Asian Seminar and NGO Symposium on the question of Palestine and for the excellent facilities, courtesies and warm hospitality extended to them.

ANNEX III

Declaration adopted by the Fourth United Nations Asian Regional Non-Governmental Organization Symposium on the Question of Palestine

(Nicosia, 20 to 24 January 1992)

1. The Fourth United Nations Asian Regional Non-Governmental Organization Symposium on the Question of Palestine was held in accordance with General Assembly resolution 46/74 B, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The Symposium was held from 20 to 24 January 1992 in part together with the Twenty-ninth United Nations Seminar on the Question of Palestine (Sixth Asian Regional Seminar).

2. The Symposium was attended by the representatives of 43 non-governmental organizations as participants and 5 such organizations as observers. Governments, United Nations bodies and intergovernmental organizations also attended as observers.

3. In addition to the round tables held jointly with the Seminar, three workshops specifically related to non-governmental organization activities were established to consider the following topics: Developing solidarity activities by Israeli and other organizations with:

(a) Palestinian women

Ms. Zahira Kamal (Palestinian)
Ms. Hanna Knaz (Israel)

(b) Physicians, health workers, health services

Dr. Ahmad Yaziji (Palestinian)
Dr. Ruchama Marton (Israel)

(c) Educational institutions, students

Mr. Albert Aghazarian (Palestinian)

4. The non-governmental organizations participating in the Symposium adopted a declaration and action-oriented proposals emanating from the workshops, and elected an Asian Coordinating Committee for NGOs on the Question of Palestine. The report of the Symposium has been issued as a special bulletin of the Division for Palestinian Rights, together with that of the Seminar.

5. The declaration adopted by the participants reads as follows:

Declaration

We, the non-governmental organizations gathered at the United Nations Asian Regional Seminar and NGO Symposium on the Question of Palestine, representing millions of people concerned with a peaceful solution of that question, believe that the situation has acquired great urgency following the Gulf war. We totally uphold the inalienable rights of the Palestinian people. We recognize and uphold the historic proclamation of the State of Palestine made on 15 November 1988. We recognize the proclamation as the expression of the continuous struggle of the heroic Palestinian people culminating in the intifadah. We unconditionally affirm the rights of self-determination, statehood and return of the Palestinian people as guaranteed by the Charter of the United Nations and all relevant United Nations resolutions. We call on all Governments of Asia and the Pacific region which have not already done so to recognize the State of Palestine in unequivocal terms and without delay.

We are motivated by the genuine desire to establish a durable and just peace in the Middle East on the basis of international legitimacy as provided by all relevant United Nations resolutions, and mutual recognition of the right of both the Palestinian and Israeli people to self-determination and the right to live in sovereign independent States alongside each other.

We draw attention to the peace process initiated by the Palestine National Council in compliance with all relevant United Nations resolutions. We note and welcome the resolutions of the Council to the effect that any international peace conference be based on the implementation of all United Nations resolutions and the right of the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people. We fully support the objectives of the Palestine Liberation Organization in the peace process, and therefore urge all Governments to follow suit.

We note with utmost concern the continuous systematic policy of violating the rights of the Palestinian people in the occupied Palestinian territories conducted by the Israeli occupation authorities. We deplore and denounce the continuation of the Israeli occupation of all Palestinian and Arab territories including East Jerusalem, the Golan Heights and southern Lebanon, and Israel's brutal measures against the Palestinians, including the current policy designed to dismember the West Bank by restricting movement of Palestinian individuals and goods through the City of Jerusalem. We condemn the conditions of Palestinian prisoners in the administrative detention camps and the use of torture and brutality during their interrogation, including women and children. Furthermore, we condemn the Israeli Government's policy of the systematic expulsion of Palestinians from the national homeland as a clear violation of the Fourth Geneva Convention, and affirm Security Council resolution 726 (1992), in which the Council strongly condemned the decision of Israel to resume the deportation of Palestinians.

Therefore, we call upon all Israeli authorities to permit the return of all deportees to their homeland.

We observe with great concern the illegal colonization by Israel of the occupied Palestinian territory. We demand the immediate cessation of the construction and expansion of all Israeli settlements in occupied Palestine, which undermine the current peace process.

We draw attention to the fact that Jewish immigration poses a great threat to the Palestinian survival on their land and is an obstacle to the resolution of the Palestinian problem, owing to the ensuing demographic changes. This is especially true while Palestinians continue to be denied their right of return. We call upon new immigrants to Israel and all Israelis to refuse to settle in the occupied Palestinian territories. We also call upon the international community to mobilize in all ways for the return of the Palestinians to their homeland, thus contributing to the efforts for a just settlement of the question of Palestine.

We call upon the United States to recognize the right to self-determination of the Palestinian people as they have done in the case of Israel. We also call upon the United States to apply pressure upon Israel to comply with all relevant United Nations resolutions.

We oppose the massive and unconditional aid to Israel provided by the United States and other States which underwrite the continuing occupation. We call upon all Governments to condition all aid, loans and guarantees to Israel on the cessation of Israeli settlement construction and expansion in the occupied Palestinian and Arab territories, including East Jerusalem, the Golan Heights and southern Lebanon. We call on all Governments and the Security Council to institute sanctions against Israeli occupation.

We unanimously recognize and support the intifadah as a national liberation struggle for the achievement of the State of Palestine and the inalienable rights of the Palestinian people.

We condemn the American and Israeli endeavours to bypass the Palestine Liberation Organization, the sole and legitimate representative of the Palestinian people, in the current peace talks. We call upon the American administration to re-establish dialogue with the PLO. We insist that Palestinians, as do all other peoples, have full right to choose their own political representatives in any peace process. We call for direct participation of the PLO and the effective participation of the United Nations in the peace process.

The issue of the status of Jerusalem should not be excluded from negotiations, nor should Palestinian residents of that city be excluded from participation in the negotiations currently under way.

We consider it most urgent that the United Nations provide immediate and sustained protection for the Palestinians under occupation, and that the Security Council establish in East Jerusalem an authority responsible for the monitoring of human rights violations in contravention of the Fourth Geneva Convention. We urge the Security Council to take all necessary measures to facilitate the exercise by the Palestinians of their inalienable rights. We call for the establishment of a United Nations force to protect the Palestinian people and to stop Israel's attempts at uprooting and destroying it.

We observe that Palestinians in Israel are subjected to a policy of legal and political discrimination and demand that Israel apply the principles of justice and equality to Israeli Palestinians in accordance with their status as a national minority in Israel. We condemn the Israeli policy of continued

confiscations of Palestinian lands and destruction of Palestinian homes for the purpose of settlements of immigrants inside Israel.

We express our strongest protest against the action of the Israeli Government in preventing the distinguished expert, Mr. Omar Abdel-Razeq, of Al-Najah University, from attending this Seminar and Symposium.

We call upon all NGOs to establish contacts with and extend support to fellow NGOs in occupied Palestine, especially those related to human rights, women, health, labour, children and education. Furthermore, we call upon all Asian NGOs to monitor the relationships among Asian governmental and private institutions and Israeli governmental and private institutions. We urge NGOs to publicize these linkages and to take collective action against them including organizing boycotts of Israeli products regardless of the exporting or intermediary country.

We request all Asian Governments to support the important role of NGOs in Asia in mobilizing public opinion and to extend financial and other assistance to these organizations so that they can more effectively support the struggle of the Palestinian people.

We warmly thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People for convening this Asian Seminar and NGO Symposium on the Question of Palestine. We greatly appreciate the presence of the Committee delegation and its guidance at this meeting. We wish to convey our deep appreciation to the Secretary-General of the United Nations for his message which was read by the Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services, whose presence at our meeting was most highly appreciated. We thank the Division for Palestinian Rights and all others of the United Nations Secretariat, including the interpreters, who so valuably contributed to our deliberations. We express our heartfelt appreciation to the Government of Cyprus for being our gracious host and for all the excellent facilities so generously provided. We particularly wish to express our gratitude to the Acting President of the Republic of Cyprus, Mr. Vassos Lyssarides, for his presence at our meeting. We extend similar appreciation to Mrs. Androulla Vassiliou, the First Lady of the Republic of Cyprus, for her highly inspiring message. In addition, we extend our appreciation to Mr. George Iacovou, Minister for Foreign Affairs of Cyprus, for addressing the opening session. We also wish to express our appreciation to President Yasser Arafat for his message.

ANNEX IV

Conclusions and recommendations adopted by the Thirtieth United Nations Seminar on the Question of Palestine

(New York, 22 and 23 June 1992)

1. The Eighth United Nations North American Regional Seminar (Thirtieth United Nations Seminar) on the Question of Palestine, on the theme "Enforcing the Fourth Geneva Convention for ensuring the protection of the Palestinian people in the occupied Palestinian territory, including Jerusalem", was held at United Nations Headquarters on 22 and 23 June 1992. The Seminar had been mandated by General Assembly resolution 46/74 B.

2. Mr. Victor Camilleri (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, was Chairman and Rapporteur of the Seminar.

3. Four meetings were held and seven experts presented papers on the theme of the Seminar. Representatives of 51 Governments, 9 specialized agencies and United Nations bodies, 3 intergovernmental organizations and 14 non-governmental organizations attended the meeting.

4. The invited experts were: Mr. Haider Abdel Shafi (Palestinian), Ms. Jeanne A. Butterfield (United States of America), Mr. Tom Farer (United States of America), Mrs. Felicia Langer (Israel), Mr. John Quigley (United States of America), Mr. Charles Shammas (Palestinian) and Mr. Raji Sourani (Palestinian).

5. The full text of the proceedings will be published in due course as a publication of the United Nations Division for Palestinian Rights.

Conclusions and recommendations

6. The conclusions and recommendations adopted by the Seminar participants are as follows:

(a) Participants took note with serious concern of numerous and persistent violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which the Security Council has declared to be applicable de jure to all the territories occupied by Israel since 1967, including Jerusalem. Such violations included the unlawful use of deadly force, including selective summary executions; punitive beatings; torture; deportation; unlawful destruction of property; collective punishments, including the demolition of houses; curfews; and the closing of educational institutions and other measures proscribed under international humanitarian law.

(b) Participants expressed their utmost concern at the continuing and intensified illegal settlement activity and land confiscation in the occupied Palestinian territory, including Jerusalem, which posed a threat to the very existence of the Palestinian community. This policy was in clear violation of article 49 of the Fourth Geneva Convention and threatened the peace process.

They stressed the imperative need for the immediate halting of such activities. Participants also expressed grave concern at the failure of the Israeli authorities to protect the Palestinian population against the unlawful violent actions of Israeli nationals in the occupied Palestinian territories.

(c) Participants expressed the view that the Government of Israel, by rejecting its international accountability over its practices in the occupied Palestinian territory, including Jerusalem, had unilaterally and illegally denied the Palestinian people living under military occupation for over 25 years the status of protected persons under the Fourth Geneva Convention and had denied them the protection of customary and conventional international law.

(d) Participants declared that it was the duty of the international community, in particular the High Contracting Parties to the Fourth Geneva Convention, to ensure respect by Israel, the occupying Power, for its obligations under the Convention. They stressed that the Convention's provisions were minimum standards, and that falling below them was a breach of international law.

(e) Participants appealed to all High Contracting Parties to the Convention to fulfil their own responsibilities under the Convention. They emphasized the importance of article 1 of the Convention, which requires the High Contracting Parties to respect and to ensure respect for the Convention in all circumstances. They drew particular attention to article 146 of the Convention, under which the High Contracting Parties undertook to seek out and prosecute persons accused of being involved in the perpetration of grave breaches.

(f) The participants welcomed the suggestion made by the Secretary-General in his report submitted in accordance with Security Council resolution 672 (1990) to convene a special meeting of the High Contracting Parties to the Fourth Geneva Convention. They noted that the Security Council, in its resolution 681 (1990), had requested the Secretary-General, in cooperation with the International Committee of the Red Cross, to develop further the idea of convening such a meeting, and had also requested the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, and to report periodically. The participants urged further action pursuant to the provisions of that resolution. Such a meeting would facilitate an exchange of views with the focus on measures outlined in the Convention, such as the appointment of a protecting Power (article 9), conciliation (article 12) and the inquiry procedure (article 149). They expressed the hope that such a meeting would take place at an early date.

(g) Participants drew attention to the fact that the mechanisms of the Convention itself, which was designed to be enforced by a system of Protecting Powers and formally appointed substitutes, had never been implemented. However, in accordance with the Convention, the High Contracting Parties could nominate either an intergovernmental or a non-governmental organization to monitor the situation in the territory under occupation. They suggested that High Contracting Parties to the Convention should utilize their consular presence more fully and effectively for monitoring purposes. A United Nations monitoring organization should be established through which High Contracting Parties would carry out their responsibilities under article 1 of the

Convention. They expressed their deep appreciation for the efforts of the International Committee of the Red Cross to implement the Convention and called upon Israel to cooperate with it.

(h) The plight of the Palestinian people under occupation had been compounded by the repeated action which the Israeli occupying forces had taken against the personnel of UNRWA engaged in the discharge of that Agency's mandate to provide humanitarian assistance to the Palestinian people under occupation. Participants expressed their appreciation to UNRWA for its invaluable work being carried out under difficult circumstances for the benefit of the Palestine refugees and Palestinians under Israeli occupation and called for the expansion of the scope and mandate of the UNRWA Refugee Affairs Officer programme.

(i) Participants recommended that, in the light of previous experience, the General Assembly or the Security Council should seek an advisory opinion from the International Court of Justice with regard to the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem. On this matter a suggestion was made to convene a seminar for the further development of this idea.

(j) Participants considered that it was imperative for all concerned to take necessary measures to ensure the physical protection and the safety and security of the Palestinian people in the Palestinian territory occupied since 1967, including Jerusalem. They appealed in particular to the Security Council to help achieve this objective by, inter alia, strengthening the United Nations presence in the occupied Palestinian territory. The Security Council should take all possible action to ensure respect by Israel, the occupying Power, for its relevant resolutions.

(k) Participants further recommended that the international NGO community support activities to ensure protection by increasing and expanding its efforts at public education, advocacy and direct involvement to provide protection. Such efforts could include NGO actions to promote concrete international measures aimed at ending unlawful policies and practices and to provide civilian volunteer observers and monitors who could, by their very presence, provide a certain measure of protection.

(l) Participants expressed appreciation for the opportunity to have a full and candid discussion of the aspects of the application of the Fourth Geneva Convention to the occupied Palestinian territories, including Jerusalem, during the Seminar under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. They hoped that the Seminar would result in effective action by the United Nations and the international community to ensure the protection of the Palestinian people under occupation and that it would pave the way for the achievement of a just, comprehensive and lasting settlement of the question of Palestine.

ANNEX V

Ninth United Nations North American Regional Non-Governmental Organization Symposium on the Question of Palestine

(New York, 24 to 26 June 1992)

1. The Ninth United Nations North American Regional Non-Governmental Organization Symposium on the Question of Palestine was held at United Nations Headquarters from 24 to 26 June 1992 in accordance with General Assembly resolution 46/74 B, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

2. The Symposium was attended by the representatives of 87 non-governmental organizations from Canada and the United States of America, and 21 such organizations participated as observers. Six panelists and 32 workshop facilitators and resource persons made presentations. Representatives of several Governments, United Nations bodies and intergovernmental organizations also attended the Symposium as observers. Mr. Victor Camilleri (Malta), Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, chaired the opening and closing sessions of the Symposium. The opening session was also addressed by the Permanent Observer of Palestine to the United Nations, who read out a message from Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, and by Ms. Jeanne Butterfield, Chairman of the North American Coordinating Committee for NGOs on the Question of Palestine, who served as Moderator of the Symposium. The Reverend Ibrahim Ayyad, President of the Palestine Committee for NGOs, addressed the closing session of the Symposium.

3. The programme for the Symposium, on the theme "Peace is the fruit of justice: twenty-five years of occupation - overcoming the obstacles, preparing the way for Palestine", was drawn up by the Committee in consultation with the North American Coordinating Committee as follows:

(a) Panel 1. Twenty-five years of occupation: overcoming the obstacles

Mr. Haider Abdel Shafi (Palestinian)
Mr. Raji Sourani (Palestinian)
Mrs. Michal Schwartz (Israel)
Mr. Richard Curtiss (United States of America)

(b) Panel 2. Preparing the way for Palestine

Mr. Elia Zureik (Canada)
Dr. Ruchama Marton (Israel)

4. Eight workshops and four skills training workshops were organized. The workshops were organized under the following general sub-themes:

(a) "Overcoming obstacles, providing protection": defining human rights; children, prisoners, expellees; ending United States aid for occupation, land, water and settlements; and misinformation and disinformation;

(b) "Preparing the way for Palestine": supporting Palestinian institution-building; supporting Israeli peace projects; Gulf war aftermath: needs of Palestinians in hardship areas; and implementing United Nations resolutions.

5. The four skills training workshops considered lobbying; letter-writing; media; fund-raising and educating the public.

6. A teach-in was held under the general theme of the Symposium during which panels 1 and 2 were discussed. Further, the Symposium elected a new 12-member NGO Coordinating Committee for the region composed of three members from Canada and nine members from the United States.

7. The report of the Symposium will be issued as a publication of the Division for Palestinian Rights.

ANNEX VI

Conclusions and recommendations adopted by the Thirty-first United Nations Seminar on the Question of Palestine

(Qawra, Malta, 27 to 29 July 1992)

1. The Seventh United Nations European Regional Seminar (Thirty-first United Nations Seminar) on the Question of Palestine was held at the Conference Centre of the New Dolmen Hotel, Qawra, Malta, from 27 to 29 July 1992, in accordance with General Assembly resolution 46/74 B.

2. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation comprising Mr. Kéba Birane Cissé (Senegal), Chairman of the Committee and Chairman of the Seminar; Mr. Victor Camilleri (Malta), Rapporteur of the Committee, Vice-Chairman and Rapporteur of the Seminar; Mr. Victor Batiouk (Ukraine), Vice-Chairman of the Seminar; and Mr. Nasser Al-Kidwa (Palestine).

3. A total of six plenary meetings were held and 15 experts presented papers on various aspects of the question of Palestine, one United Nations organ, one specialized agency, one intergovernmental organization and nine non-governmental organizations, as observers, attended the Seminar.

4. Two round tables were established and their panelists were as follows:

(a) Round table I. International action to ensure the safety and protection of the Palestinian people in the occupied Palestinian territory

(i) Measures that could be taken by the High Contracting Parties to ensure respect for the Fourth Geneva Convention

Mr. Victor Nagaychuk (Ukraine), Head of Department, Ministry of Foreign Affairs

(ii) Action by the international community and non-governmental organizations

Mr. Pol Marck (Belgium), Member of the European Parliament
Mr. Bernard Mills (United Kingdom of Great Britain and Northern Ireland), Chairman, European Coordinating Committee for NGOs on the Question of Palestine

(iii) Measures to alleviate the suffering and to promote the independent economic development of the occupied Palestinian territory: the role of Europe

Mr. Gunter Weiss, Ambassador and Representative of the Commission of the European Communities to Malta

(iv) Presentation on the panel as a whole

Monsignor Hilarion Capucci (Palestinian), Archbishop of the Melkite Catholic Church of Jerusalem
Mrs. Amina Hass (Israel), journalist

(b) Round table II. Efforts to promote the implementation of United Nations resolutions on the question of Palestine and the situation in the Middle East

(i) The current peace process

Mrs. Helene Cobban (United States of America), Research Director of the initiative for peace and cooperation in the Middle East, columnist
Mr. V. Y. Gogitidze (Russian Federation), Chief of Section, Ministry for Foreign Affairs

(ii) The role of the United Nations

Mr. Evarist V. Saliba (Malta), Ambassador, Advisor to the Minister for Foreign Affairs

(iii) The role of Europe

Mr. Patrick Cooney (Ireland), Member of the European Parliament and former Defence Minister
Mr. Richard Balfe (United Kingdom of Great Britain and Northern Ireland), Member of the European Parliament
Mr. Jean-Michel Dumont (Belgium), Secretary-General, Parliamentary Association for Euro-Arab Cooperation

(iv) The problems posed by Israel's settlement policy and Jewish immigration

Mr. Hanna Ibrahim (Israel), Spokesman of the Arab Democratic Party, editor

(v) Presentation on the panel as a whole

Mr. Abdulatif Abu Hejla, Director-General of the Political Department, Palestine Liberation Organization
Mr. Gadi Yatsiv (Israel), Former Knesset member

5. The expert members of the panels agreed on summaries of the presentations and the discussion of the two topics. The full text of the proceedings will be published in due course as a publication of the Division for Palestinian Rights.

6. The Seminar adopted conclusions and recommendations as well as a motion of thanks to the Government and people of Malta.

Conclusions and recommendations

7. The conclusions and recommendations adopted by the Seminar participants are as follows:

(a) The participants in the Seventh United Nations European Regional Seminar on the Question of Palestine welcomed the convening of the Seminar as an important contribution to continuing efforts to bring about a just and lasting settlement of the question of Palestine, the core of the Arab-Israeli conflict in the Middle East. They emphasized that the European countries had played, and could continue to play, a constructive and active role towards this objective. They particularly welcomed the holding of the meeting in Malta whose steadfast and consistent support for the Palestinian national struggle and whose geographical location and active involvement in Mediterranean and European affairs made it an ideal venue for deliberations on how Europe can further contribute to the ongoing peace efforts.

(b) The participants noted that the fundamental changes in the international political scene, the shift from confrontation towards cooperation in international affairs, had brought the possibility of meaningful interaction of the international community in the search for efficient ways of resolving the Middle East conflict. They stressed that those opportunities should not be missed for lack of goodwill or inaction and warned of the persistent dangers of continued instability and of the resulting unabated arms race in the region, which threatened not only the peoples of the Middle East but also neighbouring Europe.

(c) The participants reiterated that there was a European as well as an international consensus concerning the essential elements of a comprehensive, just and lasting settlement of the question of Palestine, which include: withdrawal of Israeli forces from the Palestinian territory occupied since June 1967, including Jerusalem, and other occupied Arab territories; respect for the right of all States in the region to live in peace within secure and internationally recognized boundaries; and the recognition and exercise of the legitimate national rights of the Palestinian people, primarily the right to self-determination, in accordance with the pertinent resolutions of the United Nations.

(d) The participants, noting that the Peace Conference on the Middle East, convened at Madrid on 30 October 1991, was entering into a particularly significant stage, expressed their earnest hope that the talks soon to be resumed would be serious and productive and would be crucial for establishing a comprehensive, just and lasting peace in the region. They noted in that connection that the process had the support of the parties concerned and had as its basis Security Council resolutions 242 (1967) and 338 (1973), which had long been recognized as the cornerstone of a comprehensive settlement. The participants stressed the essential need for an active role by the United Nations, the Security Council and the Secretary-General, for a successful outcome of the peace process. They were of the opinion that a more active European contribution to the peace conference on the Middle East was welcomed.

(e) The participants considered that in the recent elections a majority of the Israeli public had voted for peace and expressed the earnest hope that the new Israeli Government would institute radical changes in Israel's

policies in favour of peace. The participants called on the new Israeli Government to declare its agreement with the principle of "land for peace", to comply with the United Nations resolutions, including Security Council resolutions 242 (1967) and 338 (1973), and to acknowledge the right of the Palestinian people to self-determination. They also called on the Government to take immediate measures for the restoration of the fundamental human rights and freedoms of Palestinians living in the occupied territories, including Jerusalem, in accordance with Israel's obligations under international law.

(f) The participants stressed that while the peace process is taking place, it is of the utmost importance to ensure the safety and protection of the Palestinian people living under occupation; and that measures in this regard would help create an environment more conducive to peace and co-existence between the Israeli and Palestinian peoples. In particular, they called for the immediate cessation of all settlement activity, land and water confiscation in the occupied Palestinian territory, including Jerusalem, which posed a threat to the very existence of the Palestinian community and which were in clear violation of article 49 of the Fourth Geneva Convention and were detrimental to the peace process under way.

(g) The participants recognized that the intifadah is an expression of the national will of the Palestinian people for liberation, of its resistance to the occupation and of its determination to remain on its land and to attain its inalienable national rights. They reaffirmed the right of the Palestinian people to self-determination and national independence. They also reaffirmed that the Palestine Liberation Organization is the sole legitimate representative of the Palestinian people. They welcomed free democratic elections in the Palestinian occupied territories under effective international supervision. They voiced deep concern that the military occupation had now lasted for over 25 years and that Israel had continued to reject the applicability of the Fourth Geneva Convention to the occupied territory and to violate its provisions. They called for appropriate measures to be taken to implement Security Council resolutions 672 (1990) and 681 (1990), in which the Council asked for action by the High Contracting Parties and by the Secretary-General to ensure observance of the Convention. The participants considered that the fact that a peace process was under way did not detract in any way from Israel's obligations to respect the Fourth Geneva Convention and to abide by the relevant Security Council resolutions. They called on the High Contracting Parties to the Convention, on the Security Council and on the United Nations system as a whole to take all necessary measures to ensure that Israel abides by its obligations as the occupying Power.

(h) The participants noted in this connection that the Committee on the Exercise of the Inalienable Rights of the Palestinian People had given priority to the promotion of measures for the protection of the Palestinian people living under Israeli occupation. The participants also recalled that the European Community had taken measures which had been successful in ensuring the reopening of Palestinian schools and the export of Palestinian agricultural commodities, and called on the Community and on European NGOs to continue to devise means of applying pressure on Israel in order to restore respect for Palestinian human rights, including tying all agreements to human rights considerations. They also called on the Community and European NGOs to insist that Israel abide by its duty to ensure fair and equal treatment for

Palestinian workers. They urged the Israeli Government to terminate all military and administrative obstacles to the employment of Palestinians as well as their efforts to develop an independent economy of their own.

(i) The participants further recommended that the European and international NGO community continue and intensify its activities to ensure protection such as public education, health and information, campaigns on specific issues, visiting missions to the occupied territory and others. They called on NGOs to continue to press upon their respective Governments their duty to secure the compliance of the Israeli Government with the provisions of the Convention. They recommended that NGOs present in the occupied territory as witnesses to the behaviour of the occupying Power should report infringements to their embassies and consulates-general, thus drawing their Governments' attention to the situation in a very real way. Participants also recommended that European NGOs should seek to support, strengthen and coordinate the work of NGOs active in promoting the independent development of the occupied territory.

(j) The participants expressed their appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and to the Secretary-General for their constant efforts in promoting a comprehensive, just and lasting settlement of the Palestine question. They expressed confidence that the Committee and the Division for Palestinian Rights would adapt their programmes to meet the current situation and continue to increase their activities to promote a constructive debate and a concrete and action-oriented analysis of the most important issues relating to the question of Palestine.

(k) The participants expressed their warm appreciation to the Government and the people of Malta for providing a venue for the European Seminar and for the excellent facilities, courtesies and generous hospitality extended to them.

ANNEX VII

Declaration adopted by the Sixth United Nations European Regional Non-Governmental Organization Symposium on the Question of Palestine

(Geneva, 24 and 25 August 1992)

1. The Sixth United Nations European Regional Non-Governmental Organization Symposium on the Question of Palestine was held at the Palais des Nations, Geneva, on 24 and 25 August 1992.

2. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation composed of Mr. Kéba Birane Cissé (Senegal), Committee Chairman and head of delegation; Mr. Victor Camilleri (Malta), Committee Rapporteur; Mr. Victor H. Batiouk (Ukraine); and Mr. Nasser Al-Kidwa (Palestine), Permanent Observer for Palestine to the United Nations.

3. The Symposium was held in accordance with General Assembly resolution 46/74 B, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

4. The Symposium was attended by the representatives of 99 non-governmental organizations (47 as participants and 52 as observers). A number of representatives from Governments, United Nations bodies and intergovernmental organizations also attended the Symposium as observers. The opening session was addressed by Mr. Kéba Birane Cissé (Senegal) on behalf of the Committee, by the Chairman of the European Coordinating Committee for NGOs on the Question of Palestine, Mr. Bernard Mills, and by Mr. Nasser Al-Kidwa.

5. The Symposium had for its theme: "Working for peace: European coordination". Eight panelists and resource persons made presentations at the Symposium. There were two plenary sessions, as follows:

(a) Plenary session 1. The responsibilities of European and non-governmental bodies towards the Palestinian people

Radwan Abu Ayyash (Palestinian)
Maria Gazi (Greece)
Meir Pail (Israel)
Roger Stott, M.P. (United Kingdom)

(b) Plenary session 2. Report by the members of the European Coordinating Committee on their Committee's activities during the period August 1991 to August 1992.

Members of the European Coordinating Committee

6. Two workshops were also organized on the following topics:

(a) Lobbying of Governments and parliamentarians;

(b) Raising of public awareness of the Palestine issue by European NGOs.

7. The Symposium also heard three reports on ongoing projects by NGOs initiated at the 1991 Symposium, on olive trees; Palestinian family reunification; and protection of Palestinian children.

8. The non-governmental organizations participating in the Symposium adopted a final declaration as well as action-oriented proposals emanating from the workshops. The report of the Symposium, including the summaries of the proceedings, will be issued as a publication of the Division for Palestinian Rights.

9. The declaration adopted by the participants reads as follows:

Declaration

We, the non-governmental organizations participating in the Sixth United Nations European Regional NGO Symposium on the Question of Palestine, held at the Palais des Nations at Geneva on 24 and 25 August 1992, reaffirm our commitment to a just, comprehensive and lasting peace in the Middle East and to support the right of the Palestinian people to self-determination, right of return and the right to a Palestinian State.

At the same time, we are conscious that we are meeting at a time when the Arab-Israeli conflict, the core of which is the Israeli-Palestinian conflict, has entered a new phase owing to two significant events, the peace talks which have been going on since October 1991 and the recent Israeli elections which have brought to government the Labour Party.

We note with dismay that although 10 months have passed since the peace process was initiated at Madrid, no concrete progress was made, not least because of the then Israeli Government's intransigence and stalling tactics, during both the bilateral and the multilateral talks. We are furthermore concerned even about the present Israeli Government's position on settlements. On this very day when we are meeting here the talks are being resumed in Washington. The current Israeli delegation is under obligation to the Palestinians and the whole international community to show its good faith in negotiating on the basis of all United Nations resolutions, including Security Council resolutions 242 (1967) and 338 (1973), the specific terms of reference contained in the letters of invitation to the Peace Conference.

We consider the current peace talks to be a step towards the settlement of the Middle East issue. We are dissatisfied with the marginalization of Europe and the United Nations during the peace process and stress the need for active participation by the United Nations and European countries. We believe that the official participation of the Palestine Liberation Organization as the sole legitimate representative and guarantee of the unity of the Palestinian people in the present peace process is essential. We believe that in the end a just, comprehensive and lasting peace can fully be achieved through the convening of the International Peace Conference as stated in relevant resolutions adopted by the General Assembly. We request the Palestine Liberation Organization to continue to provide relevant information on the current negotiations to help alert and mobilize European public opinion.

We welcome the Israeli Government's declaration of intent, on the eve of the present Washington talks, to release 800 prisoners and to stop (for the time being) deportation of Palestinians from the occupied territories. At the same time, however, we point out that the policy of arbitrary arrest and detention without trial and of deportation of individuals from the occupied territories has not been abrogated, and is contrary to human rights and the specific prohibitions of the Fourth Geneva Convention. We deplore the continuing repression of the Palestinian people in the occupied Palestinian territories. The killing and injuring of civilians, collective punishment and the sealing and demolition of houses, arbitrary arrest, detention and imprisonment without trial, expropriation of land and water resources, curfews, and restrictions on the free movement of Palestinians are not in line with the spirit of any peaceful solution. Such practices can only continue to create a climate of frustration and pessimism instead of one of confidence building. We once more strongly voice the need for international protection of the Palestinian people and request our respective Governments to initiate action now. The Security Council cannot continue to ignore its responsibility in this matter, particularly after the recent decisions taken concerning other areas in the world. The violation of principles of the Charter of the United Nations by Israel must be handled in a comparable way. The protection of the population in the occupied Palestinian territories obviously demands the sending of United Nations monitors and the replacement of the Israeli army of occupation with a United Nations peace-keeping force. We shall press our Governments to promote such a decision in the United Nations. It is the prime duty of the High Contracting Parties to the Fourth Geneva Convention which, under article 1 of the Convention, are required to ensure that it is complied with.

We denounce the Israeli settlement policy in the West Bank and Gaza and the increased settlement activities in East Jerusalem as illegal and in violation of the Fourth Geneva Convention of 1949 and, specifically, of Security Council resolution 465 (1980). We strongly protest against the United States administration's decision to grant Israel the $10 billion housing loan guarantees without, apparently, any pledge from the Israeli Government that it will cease building settlements in the occupied Palestinian territories, including East Jerusalem. All settlements are illegal under the Geneva Convention. These actions by the United States and Israeli Governments, particularly during the current peace talks, represent a serious challenge to the inalienable rights of the Palestinian people and to the international community, which reject all attempts at demographic change and the transfer of population by the occupying Power to the territory it occupies. We call upon European Governments not to donate or pledge any financial or other support to Israel until it officially pledges to cease all settlement activities in the occupied Palestinian territories, Jerusalem included.

We invite all non-governmental organizations to campaign for a just solution of the Palestinian refugee problem based on the right to return, the principles of which are embodied in General Assembly resolution 194 (III) of 1948, which derives its force from the consensus behind it, since even the United States voted in favour at the time. Moreover, Israel was admitted to the United Nations only after having accepted resolutions 181 (II) of 1947, concerning partition of Palestine, and 194 (III). In the latter resolution, the General Assembly resolved that the refugees wishing to return to their

homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return. At the recent multilateral talks at Ottawa even the United States reaffirmed its agreement on this.

We are concerned about the concentration of weapons in the region, including chemical and nuclear weapons, and deplore the lack of progress made in the first multilateral meeting on security in the Middle East, where Israel's nuclear potential was not even addressed. We express our resolute support to the Israeli peace forces who are fighting for the dismantling of nuclear weaponry in their country. We urge all European NGOs to support and assist all Israeli NGOs in favour of a Palestinian State besides Israel.

In concentrating on the occupied Palestinian teritories, we at the same time call attention to the ongoing discrimination against Arab Israelis. Present practices of the Israeli State deprive them of their full human and civil rights.

We wish to reaffirm our stand and proposals regarding all aspects of the Palestinian issue as expressed in the final declarations of our five previous symposia and express our frustration that, during the 25 years of Israeli occupation, few concrete measures have been taken by the European Governments to address this issue, despite the numerous activities of European NGOs which contributed to creating a greater awareness of the situation and to mobilizing indispensable support for the Palestinian cause.

While we commend the activities and initiatives undertaken since last year's Symposium by the European Coordinating Committee on the Question of Palestine and its secretariat at Brussels, we consider that it needs stronger moral and material support from all European NGOs in order to carry out its work with more success during the second year of its mandate. We also call upon the United Nations to offer every possible assistance to the Coordinating Committee and its secretariat.

We are firmly convinced that actions are stronger than words, thus on returning to our countries we shall disseminate this declaration in the widest way possible, but most importantly we shall present it to the competent people in our own Governments and request them to take effective and concrete measures for the implementation of our proposals. Today more than ever before the Palestinian people need our support and we shall spare no efforts to meet their aspirations through concerted and coordinated actions between our NGOs. Immediately after the end of the Brussels Conference on Palestine: Development for Peace, the European Coordinating Committee will submit another project to the Commission of the European Communities concerning the establishment of a data base in our office at Brussels. We believe that such a project will facilitate the receiving and dissemination of information in an up-to-date and professional way, with the aim of better monitoring the situation in the occupied Palestinian territories and coordinating common action.

We deeply regret that in spite of various declarations issued by the European Economic Community in favour of a just settlement of the Palestinian issue no move has been made towards the recognition of the Palestinian state. Such a move would give a boost to the peace process and allow Europe to carry

out a policy other than that of the United States. We urge all European Governments to put pressure to bear on the Israeli government to comply with all United Nations resolutions relevant to the Arab-Israeli conflict. We also urge them to support the transitional arrangements presented by the Palestinian side in Washington on 3 March 1992. Israel's dependence on the European markets and European assistance can make such pressure effective. Such a policy would serve the interests of both the European Governments and the European peoples.

We thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People for convening this Symposium and we extend a warm welcome to Mr. Kéba Birane Cissé as the new Chairman of the Committee. We seize this opportunity to pay a tribute to the hard work of Mrs. Absa Claude Diallo (Senegal), his predecessor, and wish her full success in her new appointment. We thank the Division for Palestinian Rights, the United Nations Secretariat and the interpreters for having contributed to the success of our meeting.

We request the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to convey this Declaration to the General Assembly at its forty-seventh session as part of the Committee's report. We also urge the Committee to convene the next European Regional NGO Symposium in the first week of September 1993.

ANNEX VIII

Declaration adopted by the Ninth United Nations International Non-Governmental Organization Meeting on the Question of Palestine

(Geneva, 26 to 28 August 1992)

1. The Ninth United Nations International Non-Governmental Organization Meeting on the Question of Palestine was held under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People at the United Nations Office at Geneva from 26 to 28 August 1992. The Meeting was convened in response to General Assembly resolution 46/74 B.

2. The Committee was represented by a delegation composed of Mr. Kéba Birane Cissé (Senegal), Committee Chairman and head of delegation; Mr. Victor Camilleri (Malta), Committee Rapporteur; Mr. Victor H. Batiouk (Ukraine); Mr. Mohamed Ennaceur (Tunisia); and Mr. Nasser Al-Kidwa (Palestine).

3. The Meeting was attended by 235 non-governmental organizations (176 participants and 59 observers) and representatives of 41 Governments, 6 United Nations bodies and 3 intergovernmental organizations.

4. At the opening session, the Director-General of the United Nations Office at Geneva made a statement on behalf of the Secretary-General. Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, and Mr. Oliver R. Tambo, National Chairman of the African National Congress of South Africa, addressed the opening session. Other opening statements were also made by Mr. Kéba Birane Cissé and by Mr. Don Betz, Chairman of the International Coordinating Committee for NGOs on the Question of Palestine.

5. The programme for the Meeting was prepared by the Committee on the Exercise of the Inalienable Rights of the Palestinian People in consultation with the Coordinating Committee. The overall theme was "Protection and statehood". Twenty-eight panelists and resource persons made presentations on the panels and in the workshops. The programme consisted of three panels which dealt with protection, statehood and the NGO process, as follows:

(a) Panel 1. Protection

Mr. Albert Aghazarian (Palestinian)
Mr. Mohammed Fa'eq (Egypt)
Mr. Meir Pail (Israel)

(b) Panel 2. Statehood

Mr. Radwan Abu Ayyash (Palestinian)
Mr. Samih Al Qasem (Israel)
Mr. Michael Lanegan (Ireland)
Mr. Abdul Kaujum Nashter (India)
Mr. Abie Nathan (Israel)

(c) Panel 3. The NGO process

Ms. Jeanne Butterfield (United States of America)
Mr. Don Betz (United States of America)

6. Arrangements were made for 12 working groups and task forces which considered the following questions: land, water and settlements; protection needs of children; human rights (especially deportations); family reunification campaign; protection needs of women; arts and culture; supporting education; demilitarization and regional security; mobilizing United Nations support; housing rights; water planning; and Jerusalem. A number of special interest groups were also organized by the participating NGOs.

7. The non-governmental organizations participating in the Meeting adopted a final declaration, and action-oriented proposals emanating from the workshops. The report, including summaries of the proceedings, will be issued as a publication of the Division for Palestinian Rights.

8. The declaration adopted by the participants reads as follows:

Declaration

We, the non-governmental organizations gathered at the Ninth United Nations International NGO Meeting on the Question of Palestine, are aware that we have convened at a moment of great challenge and great opportunity.

We unconditionally affirm the rights of self-determination, statehood and return of the Palestinian people as guaranteed by the United Nations Charter and all relevant United Nations resolutions, especially resolutions 181 (II) and 194 (III).

We express our full support for the ongoing intifadah, the struggle of the Palestinian people in the occupied Palestinian territories for self-determination, freedom and independence, which has already played a vital role in underlining the urgency of the need to reach a just and peaceful solution in the region.

We are motivated by the genuine desire to establish a just and lasting peace in the Middle East on the basis of international legitimacy as provided by all relevant United Nations resolutions. We call upon the Israeli people to recognize the rights of the Palestinian people to self-determination, to return, and to a sovereign and independent State, so that a mutual recognition for the rights of both peoples can be achieved. We demand the immediate and unconditional withdrawal of Israeli forces from all Palestinian and Arab territories, including East Jerusalem, the Golan Heights, and southern Lebanon.

We reaffirm that general principles of international law offer a sound and appropriate basis for any long-term, comprehensive solution to the conflict in the region. The Israeli Government is obligated to the Palestinians and the whole international community to negotiate on the basis of all United Nations resolutions, including Security Council resolutions 237 (1967), 242 (1967) and 338 (1973), the specific terms of reference

contained in the letters of invitation to the Peace Conference, which embody the principle of land for peace.

While we are meeting at Geneva, peace negotiations are being resumed in Washington, D.C. We note with dismay that although 10 months have passed since this peace process was initiated at Madrid, no concrete progress has been made in securing the protection of the Palestinian people and their legitimate national rights. We reiterate that we believe that an international conference under the auspices of the United Nations at which all parties to the conflict, including Israel and the Palestine Liberation Organization on an equal footing, are represented is the best guarantee for the implementation for a just peace. The Palestine Liberation Organization is the sole legitimate representative of the Palestinian people and the guarantor of Palestinian unity. We call for its official participation in the entire peace process.

We consider it most urgent that the United Nations provide immediate and sustained protection for the Palestinians under occupation. We call for the establishment of a United Nations force to protect the Palestinians. We shall urge our Governments to promote such a decision in the United Nations. It is the prime duty of the High Contracting Parties to the Fourth Geneva Convention which, under article I of the Convention, are required to ensure adherence to its precepts. Further, NGOs concerned with protection for the Palestinians should establish permanent monitoring and witness groups in the occupied territories in order to enhance public awareness and to pressure Governments to urge Israel to end the occupation.

We call upon Israel, as an important "confidence-building measure", to immediately recognize the de jure applicability of the Fourth Geneva Convention of 1949, to all the territories occupied in 1967, including Jerusalem. The protections and guarantees of the Convention must be recognized and implemented without delay.

We denounce the Israeli government settlement policy in the West Bank and Gaza and the increased settlement activities in East Jerusalem. These settlements are illegal and in violation of the Fourth Geneva Convention and Security Council resolution 465 (1980) and other relevant Security Council resolutions and should be dismantled. We strongly protest against the United States administration's decision to grant Israel $10 billion in loan guarantees without any pledge from the Israeli Government that it will cease building settlements which are illegal in the occupied Palestinian territories, including East Jerusalem. We do not accept the distinction between political and strategic settlements offered by this Israeli Government as it appears to be a tactic to avoid returning all the Palestinian territories occupied in 1967, and remains an obstacle to peace. We call upon all Governments not to donate or pledge any financial or other support to Israel until it officially pledges to cease all settlement activities in the occupied Palestinian territories, including East Jerusalem, and in the occupied Syrian Golan Heights.

We demand an end to the Israeli policy of arbitrary arrest, detention without trial and expulsion, and urge the return of all deportees, including those whose permits expired while they were outside their homeland. We further call for an immediate halt to all summary deportations and transfer of Palestinians without residence rights; for the immediate provision for

Palestinian re-entry into occupied Palestinian territories; and for the immediate granting of residence status to all members of Palestinian families.

We also call upon Israel to recognize the rights of Palestinians in Israel to full equality, rights for which they have been fighting since 1948. We denounce the ongoing discrimination against Palestinian citizens of Israel. We condemn the Israeli confiscation of their lands which has recently accelerated. Their national and human rights must be considered in any further comprehensive solution of the Palestinian problem.

We strongly condemn the continuing Israeli policy of systematic iron fist repression against the Palestinian people in the occupied Palestinian territories. We point out that in spite of Israel's announced intention to release 800 administrative detainees, at least 14,000 Palestinians remain imprisoned. We note that in spite of the cancellation of deportation orders against 11 Palestinians, those orders have been changed to an additional six months' imprisonment under new administrative detention orders. We call on Israeli authorities to stop the killing and injuring of civilians, collective punishment, the sealing and demolition of houses, detention, torture and imprisonment without trial, expropriation of land and water resources, the closing of educational institutions, and curfews and restrictions on the free movement of Palestinians. These measures must end immediately.

We call upon Israel to immediately stop using the British Emergency Defence Regulations of 1945, under which major human rights violations, such as expulsions and sealings, extended curfews and other collective punishments are perpetrated.

We call upon Israel to rescind all standing military orders that have codified human rights abuses and legalized them, particularly military orders that sanction administrative detention, restrictions of fundamental freedoms and rights such as free speech, freedom of assembly and association, freedom of movement and travel, academic freedom, excessive taxation and other severe restrictions on the free development of the economy and the society of the occupied Palestinian territories.

We demand that all operations as well as all standing orders and regulations relating to the undercover army units, called "samson" and "cherry", among others, be cancelled and that the so-called "special units" be disbanded immediately in order to put a stop to summary executions in the occupied Palestinian territories.

We believe that massive Jewish immigration to Israel continues to pose a great threat to Palestinians' survival on their land and is an obstacle to the resolution of the Palestinian problem, owing to the ensuing demographic changes. We point out that this immigration is being supported, funded and encouraged even as 90 per cent of the 370,000 Palestinians deported from Kuwait (as well as other Palestinians from the Gulf) continue to be denied re-entry to their homeland; while thousands of Palestinian families continue to be forcibly separated and their members administratively deported; while thousands of Palestinian children continue to be born, even inside the occupied territories, with no legal status or right to residence; and while the Palestinian right to return is still denied. We call upon new immigrants to Israel and all Israelis to refuse to settle in the occupied Palestinian territories, and thus contribute to the efforts for a just settlement on the

question of Palestine. We call upon all States to facilitate immigration of Jews who wish to move to countries other than Israel and the occupied Palestinian territories.

We expect each and every State party to the Geneva Conventions and every Member of the United Nations to do all in their power, pursuing all legal means at their disposal, including sanctions, to bring Israeli practices and law in the occupied Palestinian territories into compliance with international law and standards as a matter of legal contractual obligations by Israel as a State party to the Geneva Conventions and other applicable conventions and instruments of international law. Each NGO accepts its responsibilities to exert pressure on its own Government on this matter.

We demand the extension of the protection of life and human rights to the Palestinians in neighbouring countries, especially Lebanon. The creation and expansion of Palestinian NGOs in Jordan, Lebanon and the Syrian Arab Republic should be integrated with the work of the international NGO movement.

We support comprehensive measures to control and eliminate weapons of mass destruction worldwide, but especially in the Middle East. The international community should strongly urge Israel to sign and ratify the nuclear non-proliferation treaty. In this context NGOs are urged to support the campaign for Mordechai Vanunu's immediate release from the brutal and inhumane confinement he is suffering for alerting the world to the Israeli nuclear threat.

We conducted some of our deliberations in workshops, each devoted to a relevant issue. The reports of these workshops include suggested strategies and actions for the NGO network to coordinate and pursue over the next year.

We warmly thank the Committee for convening this international meeting and we greatly appreciate the presence of the Committee delegation. We extend a warm welcome to Mr. Kéba Birane Cissé as the new Chairman of the Committee. We also pay a tribute to the excellent work of Mrs. Absa Claude Diallo, his predecessor, and wish her full success in her new appointment. We thank the Division for Palestinian Rights and all others of the United Nations Secretariat including the interpreters who so valuably assisted us. We express our appreciation to the distinguished experts who spoke here and added to our deliberations. We request, in keeping with recent practice, that the 1993 NGO Symposium be convened at Vienna.

We wish to express a special note of thanks and appreciation to Mr. Yasser Arafat, President of the State of Palestine, and Mr. Oliver Tambo, leader of the African National Congress of South Africa, for their important and insightful comments. We all consider their participation in our meeting to be a distinct honour.

We request the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to convey this declaration to the General Assembly at its forty-seventh session as part of the Committee's report.